

THE LABOURER;

A

MONTHLY MAGAZINE

OF

POLITICS, LITERATURE, POETRY, &c.

EDITED

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(BARRISTERS-AT-LAW.)

VOL. IV.

LONDON :

NORTHERN STAR OFFICE, GREAT WINDMILL STREET;

MANCHESTER :

ABEL HEYWOOD, OLDHAM-STREET.

—
1848.

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ABSTRACT
OF THE
EVIDENCE TAKEN BY THE SELECT COMMITTEE
OF
THE HOUSE OF COMMONS
APPOINTED TO ENQUIRE INTO
THE NATIONAL LAND COMPANY.

On the 12th of May Mr. F. O'Connor, after due notice, brought in "a bill to alter and amend the act of 9 and 10 Vict. for the amendment of the laws relating to Friendly Societies." The bill, was very short, consisting merely of the preamble and two clauses, was introduced for the two-fold purpose of extending the operation of the Friendly Societies Acts—1st, to the National Land Company; and 2dly, to the Odd Fellows, and societies similarly constituted.

The second reading was fixed for the 14th of June, as being the earliest open day, and, at the same time, as affording ample time to members to consider the bill. In an early part of the proceeding, Sir B. Hall, who had distinguished himself by his activity in opposition to the plan of the Company, rose and asked Mr. O'Connor if he would have any objection to a Select Committee being appointed to enquire into the subject, before calling upon the House to affirm the principle of the bill. Mr. O'Connor replied, that if he found the Government intended to oppose the principle of the bill, he should have great pleasure in adopting the suggestion of the Hon. Bart., because there was nothing he was more anxious to secure than a full, strict, and searching investigation, not only into the practicability of the plans of that Company, but also into the manner in which its business had been conducted, and its funds managed.

Mr. O'Connor having ascertained from the Home Secretary, that the Government were not prepared to support the bill, gave notice of his intention to move for a Select Committee, and on his motion it was agreed on the 23d of May

that a Committee be appointed. On the 30th May, at the close of a protracted sitting—between twelve and one o'clock in the morning—Mr. O'Connor nominated the following members of the Committee:—

MR. SHARMAN CRAWFORD.
 VISCOUNT DRUMLANRIG.
 SIR BENJAMIN HALL.
 MR. MEAGHER.
 MR. HENLEY.
 VISCOUNT INGESTRE.
 MR. LANGSTON.
 MR. MONSELL.

MR. FEARGUS O'CONNOR.
 CAPTAIN PECHELL.
 MR. SCHOLEFIELD.
 SIR G. STRICKLAND.
 MR. SULLIVAN.
 MR. G. THOMPSON.
 MR. DEVEREUX

Sir G. Grey, the Home Secretary, moved as an amendment to substitute the names of Mr. G. W. Hayter and Mr. Stewart Wortley, for those of Messrs. Devereux and Meagher, and Sir B. Hall, who was evidently prepared with a long speech on the question, went into an analysis of the proposed Committee, obviously dictated by the most hostile *animus*, and imputing motives of a disreputable character to the mover. Boasting that it was his determination that a strict and searching investigation should take place, accompanied by a significance of manner which indicated that his private knowledge of the affairs of the Company would be essential to that object, he may be said to have forced himself upon the Committee in the character of public prosecutor, and to have from the first assumed all the questions at issue to be decided against the Company, and against Mr. O'Connor, as its founder and promoter. That gentleman having really in view the object which Sir B. Hall professed to have, and knowing that an impartial and practical report could only be expected from independent, impartial, and practical men—had exercised the utmost care in the selection of the names he proposed. But notwithstanding the evident pre-judgment of the case by Sir B. Hall, feeling conscious that the more strict the scrutiny the more it would promote the object he had in view, he merely contented himself by adverting to the untimely and unseemly partisanship which had that night characterised the conduct of one who asked to act in the character of a jurymen. From the commencement it was clear, however, that a very strong bias against the plan existed in the minds of several members of the Committee—a fact which the appointment of the Chairman, and the whole course pursued during the examination,

especially in the selection of witnesses, proved still more incontestably.

This brief summary of the facts which preceded the appointment of the Committee, is necessary to the proper understanding of the following Abstract.

The committee met for the first time on the 6th of June, when the Right Hon. William G. Hayter was appointed chairman. The first witness called and examined, was Francis Whitmarsh, Esq. barrister and registrar under the Joint Stock Companies Acts, the 7 and 8 Vict. c. 110, and the 10 and 11 Vict. c. 78. The first of which acts came into operation on the 5th of September 1844, and the second on the 22d of July 1847.

Mr. Whitmarsh stated, that these acts apply to all partnerships formed subsequently to September 1844, consisting of more than twenty-five members, with certain exceptions enumerated in them. These exceptions are "Banking Companies, Schools, and Scientific and Literary Institutions, and also Friendly Societies, Loan Societies, and Benefit Building Societies respectively, duly certified and enrolled under the statutes in force respecting such societies other than such Friendly Societies as grant assurances on lives;" there are some other exceptions as to parties engaged in working mines and Irish anonymous partnerships, in other clauses. In order to bring any partnership completely under the provisions of the act, there must be "Provisional Registration" in the first instance, upon which certain acts may be done by the company, and then complete registration follows, which incorporates them. The returns to be made to the registrar before there can be provisional registration, are "First, a return of the proposed name of the intended company, and also the business or purpose of the company, and the names of its promoters, together with their respective occupations and places of business, if any, and places of residence." There are certain other provisions required, either before or after such publication as they may be decided on, in which are to be stated the name of the street, square, or other place, in which the place of meeting shall be situated, and the number, if any, or other designation of the house or office, and also the names of the members of the committee or other body acting in the formation of the company; this is a very essential part; to which should be attached, "the irrespective occupations, places of business, if any, and places of residence, together with a written consent on the part of every such member or promoter to become such, and also a written agreement on the part of such member or promoter entered into with some one or more persons as trustees for the said company to take one or more shares in

the proposed undertaking, which must be signed by the member or promoter."

In all cases within one month after the particulars required to be registered, or any of them, shall have been ascertained or determined, the promoters are bound to make such a return : if they do not they are subject to a penalty of 20*l*.

In the first instance, however, a certificate of provisional registration is given upon a return of the first three particulars. When a company is thus provisionally registered they may assume the name of the company coupled with the words "registered provisionally ;" they may open subscriptions, they may allot shares, and they may receive 10*s*. upon every 100*l*. share for the performance of such acts as are requisite for obtaining charters for those who require them. But they are not to make calls, nor to purchase, contract for, or hold lands, nor to enter into contracts for any services, or for the execution of any works, or for the supply of any stores, except such services and stores, or other things as are necessarily required for the establishing of the company, and except any purchase or other contract be made conditional on the completion of the company, and to take effect after the certificate of complete registration, Act of Parliament or Charter, or Letters Patent, shall have been obtained.

A penalty of 25*l*. is imposed for doing certain acts before they are provisionally registered. When a certificate of provisional registration is given it remains in force for twelve months, and may then, under section 23, be renewed for twelve months more, but during the whole period in which these certificates are in force, the company can only do the acts previously specified. The National Land Company has been provisionally registered, The first paper which was lodged on the 24th October, 1846, contained "the names and business of the promoters of the Chartist Co-operative Land Company," for the purpose of purchasing land and erecting dwellings and schools.

The witness read the document containing the names, which was signed by Feargus O'Connor and Thomas Wheeler, as two of the promoters required by Act of Parliament to sign it.

The next document brought to the Registration Office on the 4th November, 1846, was "A return of the place of business of the Chartist Co-operative Land Company." That return states, "in Middlesex, Dean-street, in the parish of St. Ann's, Soho, No. 83." It is signed by one of the promoters, Thomas Martin Wheeler. On the 17th December three documents were registered. The first was a return of a change in the name and business of the Provisionally Registered Company—the title being altered to the "National Co-operative Land Company," and the business as originally registered "for the purpose of purchasing land and erecting dwellings and schools," was altered to "to purchase lands, to erect houses, to allot same to

shareholders in manner provided by deed of settlement, to make advances of money to allottees, and to raise money for the purposes aforesaid." That is signed by Feargus O'Connor. On the same day the return required by the act of the provisional officers of the company was registered (the witness read the names,) and there was also delivered a third return of the Provisional Directors, which is required to be made in a separate document for the purpose of another document being brought in, by which the parties named accept the office of directors in the terms which the act requires, and undertake to take one or more shares in the proposed undertaking. The directors named in the first return are F. O'Connor, T. Clark, and C. Doyle, and they duly accepted office, and gave the required pledge. On the 25th of March, 1847, another return was made, omitting the word "Co-operative" from the title of the Company, and making it simply the "National Land Company," upon which Sir B. Hall asked, "In all the Company has had three titles? Yes. Mr. F. O'Connor.—And by the Act of Parliament it may have twenty titles if it gives notice of the alteration? Yes, before complete registration." At the same time a document, giving notice of the addition of Messrs. T. M. Wheeler and P. M'Grath to the Provisional Directors, was lodged and registered, together with their acceptance of office and the pledge to take shares required by the act. By a subsequent document it is stated, that Mr. Wheeler has withdrawn, and Mr William Dixon succeeded, having duly complied with the requirements of the act. On the first of April, 1847, a list of "titles of documents returned by the National Land Company, pursuant to section 4 of the act" was returned to the Registration Office signed, "John Gathard." These documents consisted of a "printed circular or prospectus, and a printed posting bill." By way of showing that no deception whatever was practised on the registrar, either as to the objects or plans of the Company, we give these documents entire.

The first circular is :—

"A Happy Home for Honest Industry : National Land Company, provisionally registered ; shares £1. 6s. each, payable by instalments of 3d., 6d., 1s. and upwards per week. The objects aimed at by this company are, the elevation of the character and social improvement of the condition of its members. The means by which the company propose to realise these objects, so laudable in themselves, and so desirable to all, are so moderate as to place them within the reach of the poorest in the community. Benefits : The advantages which this company guarantees to its members are as follow : the subscriber of two shares, or £2. 12s., entitles himself to a house, two acres of land, and an advance of £15. ; the subscriber of three shares, or £3. 18s., to a house, three acres of land, and £22. 10s. ; the subscriber of four shares, or £5. 4s., to a house, four acres of land, and £30. The annual rent-charge which will be made by the company on its allotted members for the aforesaid benefits, is

regulated by a principle which will, in every case, prevent its becoming a burden to those who will have to bear it. The company affords great facilities to its members to become freeholders of their dwellings and allotments, as the interest charged on the capital expended in the completion of an allotment is redeemable by a process of which every industrious and provident member may avail himself. The company presents to the public other admirable features in the circumstances, that it invests the allottees with the elective franchise, and that it causes the original amount subscribed by each member to revert to him, together with a proportionate share of any profits that may accrue from the transactions of the company when the whole of the members are located. The company have likewise established a bank of deposit and redemption, which presents peculiar advantages to the working classes, either for the redemption of the rent-charge of their buildings, or for the general purposes of a savings bank. Progress : The prosperity which has marked the career of the National Land Company, since the day of its formation, has been unexampled in the annals of similar institutions. It dates its origin from the 19th of May 1845 ; and since that time to the present, it has diffused itself over England, Scotland, and Wales. It has likewise extended itself into Ireland, Belgium, and France ; and judging from its daily augmentation, it bids fair ere long to be as powerful and as effective a confederation as ever existed in the British empire. The company now extends to 360 branches, and numbers about 13,000 members, holding 40,000 shares, who have already subscribed upon their shares upwards of £22,000. Three excellent estates have been purchased by the company, and have been assigned to its members, and the directors are now seeking other eligible investments. Branches of the company are now formed in every town of any note in Great Britain, of which parties may become members. Office, 83, Dean-street, Soho, London, where every information connected with the company may be obtained, by personal application, or by letter addressed to the directors, as above. The rules, price 4d., may be obtained of the district secretaries, which contain full information, with the objects of the company, and the principles of operation by which they are proposed to be secured. Central Office, March, 1847. John Gathard.³

That is the first document ; the second is a printed circular or posting bill, registered the same date, the 1st of April 1847 :

“National Land Company, provisionally registered. Shares £1. 6s. each. The object of this company is to enable working men, for a trifling sum, to obtain possession of land and dwellings upon such terms, that by honourable and independent labour they may maintain themselves and families in comfort and respectability. Benefits assured. The following are the benefits which the company guarantees to its members : holders of two shares, a comfortable house, two acres of good land, and £15. Holders of three shares, a house, three acres, and £22 10s. Holders of four shares, a house, four acres, and £30. Leases for ever will be granted to the occupants, thus ensuring to them the value of every improvement they may make upon their allotments. The company affords great facilities to those members who have the means of purchasing their allotments. The rent will be moderate, as it will be regulated by a charge of five per cent. upon the capital expended. The company having been called into existence

for the benefit of the working classes, the rules enable the poorest to avail themselves of its advantages; as to the shares they may be paid by instalments as low as 3d. per week. The rules of the company, price 4d., can be obtained," &c. &c.

On the 23d October, 1847, Mr. W. Dixon, as a promoter of the National Land Company, applied for, and obtained a renewal of the certificate of provisional registration. Subsequently a draft of a deed of settlement, with an abstract, was taken to the registrar for approval. He could not tell the date when it was taken in, but in August 1847, it left the office approved of, preliminary to complete registration, in order to obtain which, the act requires that the deed shall be signed by at least one-fourth of the persons who, at the date of the deed, had become subscribers, and who hold at least one-fourth of the maximum number of shares in the capital of the Company. In accordance with the act a list of shareholders, amounting to 43,847, was also supplied to the Office of Registration. Altogether the fees paid at the Office for Provisional Registration on these various documents, amounted to £31 10s. The following evidence refers to an important point, which was frequently mooted at subsequent stages of the enquiry :—

"Mr. S. Wortley.—When you mentioned just now the approval of the draft of the deed, in what sense is that word approval to be taken; does it refer to sanctioning the company as a company?—It is an approval to the deed in the same way that a conveyancer would look over a deed to see that it is a properly drawn up deed. The act of parliament did not immediately contemplate the approval of the deed in the previous instance, but it contemplated that before the deed was registered the registrar was to approve of it. It was considered that it would be a great inconvenience and a loss to the parties to have a deed engrossed which when the registrar came to look at he might find to be an incomplete deed, and such as would require to be re-executed. It was therefore adopted as a rule in the office that a draft deed and a draft abstract should be left for the perusal of the registrar, who, if he saw any occasion to make any alteration in it, did so, or wrote in the margin the other provisions to be inserted, and it is signed in the usual way. 'I request that this deed may be revised, and sent to me again for approval.' I am afterwards attended by the parties, sometimes by counsel.

"Do you consider it a part of your duty to inquire into either the propriety or legality of the company?—To a certain extent I feel I am bound to do it, because the act of parliament says that I am to approve of the deed, and it says that I shall not grant a certificate of complete registration, unless I am satisfied of the propriety of the deed, according to the terms of the act of parliament. The company are to be at liberty to insert in their deed such clauses as may be applicable to the particular

business of the company intended to be carried on, which are not inconsistent with the law ; that is the expression of the act, and it has been considered rather a wide expression.

“Chairman.—What clauses of the act are you referring to ?—The 7th and 8th Victoria, chapter 110, section 7.

“You do not apprehend that your certificate makes an illegal deed a legal one ?—Certainly not.

“Mr. F. O’Connor.—Do you apprehend that your opinion, as you are bound to examine into the legality of the deed, would give a strong impression on the subject to those persons who are seeking to register either provisionally or otherwise ?—To a certain extent I am bound to see to the legality of it. The deed is to be approved of by me, and unless it meets with my approval I am strictly forbidden to register. At the same time, if, upon searching the records of the office, I find a deed which contains an illegal provision, I consider I have the power to call upon the parties under the act of parliament to file a supplemental deed to remedy that.

“Mr. S. Wortley.—Under which part of this clause is it that you consider yourself bound to approve of the deed as distinguished from the abstract ?—The word abstract has been considered sometimes as that which is to be approved of, but the received opinion is that it is the deed itself which has to be approved of.

“You have not interpreted that provision of the act of parliament as applying to the approval of the abstract, as being a correct abstract of the deed ?—Certainly not, the practice has never been so.

“Your duty, as you conceive, is to examine the deed, with a view to see that it is in conformity with this act of parliament ?—Certainly.

“And that is all which you certify by your approval ?—That is all I certify by my approval.”

In answer to Mr. Monsell. The witness said, that no company, unless completely registered, can either purchase lands or enter into any contract, unless it is to take effect after complete registration.

“Was it not stated in one of the documents that you read, that this company had purchased estates ?—Yes ; and a great many penalties have been incurred ; and if I as registrar of joint-stock companies might take the liberty of saying so, I should say that I think the act might be extremely improved if the registrar were required, as a matter of duty, to call upon people to comply with the terms of the act in many points ; or if I were required to apply to the Attorney-general for his authority to compel the parties to register, or to pay the penalties if they did not.

“Mr. F. O’Connor.—There is nothing in that act, is there, which precludes individuals from purchasing property ?—I appre-

hend if you or I were to purchase property we should not come under that act, whatever company we might belong to, if we bought it on our private account. Supposing I had put forward a company of this description and I were to purchase lands in my own name, and declare in a public document like that advertisement that the company had bought so much land, I should question very much whether it might not in a court of equity be considered as a sort of trust in the parties who had made such a declaration as that.

“Captain Pechell.—To recover those penalties would it be necessary to resort to the Attorney-general?—No, any common informer may recover them.

“Chairman.—The difference is this, is not it; there are certain penalties by this act, which may be recovered before any magistrate; those may be recovered by a common informer, but where an action is to be brought for penalties it can only be brought by the Attorney-general?—Yes, that is so.

“Mr. S. Wortley.—The prohibition in this act of parliament is not against the company purchasing land, but against the promoters of the company purchasing land; is not that the case?—Yes.

“If an individual promoter purchases land for the benefit of the company in the character of a promoter, is not it a great question whether he would not be liable to a penalty?—I think so; the act says that it shall be lawful for the promoters to do so and so, but not to make calls, or purchase or hold lands.”

The witness proceeded to state, that if when a deed for complete registration was brought under his notice, he found in the face of the transactions that the promoters had been acting contrary to law, he did not consider that a reason why he should refuse the certificate. He simply considered his office ministerial, and one that allowed him no option but to certify, while even the fact of prosecutions of a certain character under the act being restricted to the Attorney-general, did not seem to require that he should, as a public officer, bring the fact of any informality or illegality in these transactions before that officer. A representation was made on the subject before he was in office, but there was a “difficulty” in the way and “it went off,” so he did not consider it necessary for him to take any steps. He did send for Mr. Roberts, the solicitor to the company, and intimate, that in his opinion the company had rendered itself liable to penalties; but he considered it was no part of his duty to interfere farther in the matter. Notwithstanding omissions and irregularities, he held himself bound to complete the registration and to leave the company to all the chances of being sued, by common informers, for the recovery of the penalties attached.

[It is evident, that by such an administration of the law, the most serious mistakes may be committed by parties little con-

versant with its administration. People naturally believe, that when a Government officer appointed to certify the legality of certain transactions under a specific act of parliament does so certify, that the legality of the proceeding follows as a matter of course. According to the evidence of Mr. Whitmarsh this is a mistake; after all the expense and trouble of registration, provisional, or complete, the whole proceedings may be as illegal as if neither had ever been incurred, and the poor people who have to bear both, find out too late, that they have entirely thrown away both time and money.]

Mr. Whitmarsh was next examined as to the omissions with which he charged the company: these were principally the omission of a return of the amount of capital and the number of shares. He considered this an important omission, because until the amount of capital was fixed, it was impossible for him to ascertain whether the subscribers to the deed represented one-fourth of the capital or not, and the ascertaining of that fact was indispensable to complete registration; at the same time he admitted that the draft of the deed which passed the office contained these particulars. This is the conclusion of Mr. Whitmarsh's evidence:—

“ Mr. O'Connor.—You stated that you thought there were so many intricacies in the law as it now stands, that the law requires correction?—I think that the registrar should have further powers.

“ Chairman.—Is the committee to understand you to say that the law requires alteration, so as to enable the registrar of Joint Stock Companies to enforce the injunctions and provisions of the act?—Yes; I think he has not power sufficient; he must either stand in the situation of a common informer, or he must be sending memorials to the Attorney-general, calling upon him to act, or asking him to give his sanction to act.

“ Mr. S. Wortley.—Or he must shut his eyes to the infringement of the law?—Yes.

“ Chairman.—In what condition do you apprehend the promoters of this company to be at present; you say that they are provisionally registered, and are not completely registered, and that they have done acts which have subjected them to a vast variety of penalties?—I think they have; it occurred to me that there were penalties incurred by want of proper returns, but I am not able to state to the committee what those penalties are.

“ If the promoters of the company have purchased lands, or if they have done any of those things which they are prohibited from doing by the 7th & 8th Victoria, c. 110, you consider they have incurred penalties?—Undoubtedly; upon reading that prospectus registered by them, it conveys to

my mind that they have been acting when they ought not to have done so.

“Now if they were to come to your office with a deed for complete registration, with the names of the parties upon it representing an adequate quantity, both of names and capital, should you, under those circumstances, consider yourself obliged to register that deed?—I should; I am called upon to do it, if the deed is according to law.”

In reply to Captain Pechell, who asked, if it would not be more convenient to go to Parliament, and whether that would not save a great deal of money; he said he did not know what the cost of an Act of Parliament might be—and further, to the question, the deed having left the office approved of, what there was now to prevent the company from being completely registered except the expense? answered, “I do not know: it has never been tendered again.” His office had put no obstruction whatever in the way of registration.

The next witness called was Mr. George Whitmore Chinery, managing clerk to W. P. Roberts, Esq., Solicitor to the National Land Company. He corroborated the statements of Mr Whitmarsh with respect to the proceedings which had been taken in furtherance of complete registration, as far as he was concerned in them. He dated the commencement of the company from the time of provisional registration in October, 1846. Up to that period, the promoters had been doing their utmost to get enrolled under the Friendly Societies Act, for which, in fact, it was originally calculated—and while they were making these efforts, in hope of obtaining such enrolment, the number of members went on increasing, until at length, having failed in procuring the sanction of the law in that quarter, the steps were taken under the Joint Stock Companies Act, described by Mr. Whitmarsh. The draft deed of settlement was prepared on the 20th of January, 1847, and remained in the registrar's office five or six weeks. It was then given out with various queries and alterations, which were submitted to counsel, corrected and returned to the registrar, by whom it was finally approved in August, 1847. An original deed was thereupon prepared from that draft, to which the names of shareholders were to be subscribed in terms of the act. To every signature the date of such subscription is attached. The shareholders began to execute on the 13th of September, 1847, and went on executing till February of the present year. It has been all over England, has of course taken many months, and is now executed by 7,566 shareholders, representing about 33,000*l.* of the capital of 130,000*l.*, which in February was a sufficient number for complete registration:—

“Chairman.—You say that you had a sufficient number for complete registration?—Yes, I had in February; but there was a great deal then to be done. Under the rules of the

registrar's office we had one thing to do which would give employment to two clerks for two months ; that is, to give an alphabetical list of the names, and addresses, and occupations of all those who have executed ; it would be necessary to go through the names as they stand in the deed ; first to copy them out, and then arrange them alphabetically, and to refer to the schedule of the deed for the address and occupation of each individual. I calculate that it would take two clerks at least two months to do it.

“ Is an alphabetical list required ?—It could not be dispensed with. I consulted the assistant registrar myself upon it ; I consulted him upon several occasions, to see if he could dispense with any of the matters required by the rules of the office, but he could not.

“ What would be the first requisite ?—The first requisite would be two full copies of the deed, with all the schedules ; a third copy is required, of the names of all the parties who have executed it, arranged alphabetically, with their names and addresses, and the number of shares.

“ Have you ever made any calculation of what the expense of that would be ?—Beyond the period when I stopped all further proceedings, which was towards the end of January, or in the beginning of February, I calculated that it would cost perhaps 500*l.* more before I could complete the various matters for registration.

“ That it would cost you 500*l.* more to obtain complete registration ?—Yes, beyond what we had already expended ; of course I spoke in round numbers ; that deed only contains about 18,000 names. Supposing we completely registered the company upon that deed, we are bound to register every name ultimately. Every 100 names which would have to be registered permanently would involve stamps to the amount of 3*l.* 15*s.* Supposing 20,000 names to be registered, there would be 23,000 more names to register out of the 43,000.

“ Is that under the Stamp Act ?—Yes, the deed bears a stamp of 1*l.* 15*s.* There is a stamp of 1*l.* 15*s.* upon every 15 folios, of 72 words each ; 100 names involve 3,600 words, which I divide by 72, bringing it to folios, which gives 3*l.* 15*s.* for every 100 names ; all figures are supposed to be written in full, and calculated as single words. There are about 30 words in a line to every name ; then they sign, and we also pay stamps upon the signatures, the number of words occupied by the signing and attesting.

“ Do you count those in an ordinary deed in that way ?—Always.

“ Captain Pechell.—How much money should you have to carry to the Stamp Office if you were to take the deed to be stamped ?—The number of stamps I have paid for already amounts to 608*l.* upon that deed, and it will require nearly

200*l.* more before I can carry it in to the registrar. There must be above 800*l.* paid for stamps before I can completely register that very deed.

“Chairman.—The deed itself bears only a 1*l.* 15*s.* stamp, as a common deed stamp, and the number of names is at the rate of 3*l.* 15*s.* to every 100 names?—Yes.

“Captain Pechell.—Then it is a penalty upon the number of names?—It acts like it.

“Sir B. Hall.—Do you consider that 1*s.* a name would cover all the expenses?—I do not think it would.

“Mr. F. O'Connor.—Not 'including the legal expenses and stationary?—I think it would not.

“Chairman.—I understand you that the deed having been thus executed, and so much money having been paid upon it, you abstain from taking it to the registrar's office in consequence of the additional sum to be paid?—No, I have not abstained in consequence of the additional expense; but Mr. O'Connor, finding the expenses were very enormous, informed me that he was going to apply to Parliament to try to get the Friendly Societies Act altered, so that we might get it certified under that act, as originally intended. Nothing has been done in the matter since.

“It has remained since February to the present time with nothing further done than provisional registration? Exactly so. I took care to renew the certificate of provisional registration; I did all I possibly could do to protect the company and the promoters from the penalties, but I knew I was unable to do it completely, from the vast number of names I had to return. There never were so many, I believe, in any of the companies which have been registered. The number of names overcame us, and must eventually add to the expenses enormously, unless we can get the stamp remitted, or get it registered as a society.

“You were perfectly aware, probably, before the deed was prepared, and before the application to the registrar's office was made, that the stamp would amount to such a sum?—I could not tell; I did not know the number; I was astonished, myself, to find so many parties joining. They have joined to a surprising extent since the date of that deed; that deed contains 19,000 or 20,000; that was up to the 1st of June. From June, I believe the company has increased very considerably.”

In answer to the Chairman, Mr. Chinery said the deed was settled by a conveyancer, and he was not aware that there was any doubt of the legality of the company. He then proceeded to detail the steps that had been taken to procure enrolment under the Friendly Societies Act. The first was made before the alteration in the act made by Mr. Duncombe, and the second after that alteration, when he found they were worse off than before,

The main objection of Mr. Tidd Pratt, the barrister appointed to certify the rules of Friendly Societies, was to the 17th rule of the original laws which applied to the division of an estate into allotments of two, three, and four acres, and the balloting for occupants. Mr. Macnamara, the counsel engaged on behalf of the Society, altered the rules so as to bring them within the act in his opinion; and another application was made, the result of which was, Mr. Tidd Pratt again declined to certify.

This was written by Mr. Macnamara, after the conference with Mr. Tidd Pratt:—

“ Mr. Pratt’s opinion is clearly against the enrolment, and I quite agree with him that if Mr. Justice Wightman’s opinion, which he formerly gave, to Mr. Pratt’s knowledge, is upheld; viz., that the Friendly Societies Act does not apply to such a society, certainly the Building Act does not. The society’s object cannot be altered so as to bring them within these Acts under these circumstances. There are two courses to pursue: first to register it under the Joint Stock Companies Act. Second, which seems better, to get Mr. Duncombe to amend by statute the 4 & 5 Will. 4, c. 40, s. 2 (Friendly Societies), by altering the words ‘for any other purpose which is not illegal’ to ‘for any legal purpose whatsoever.’ ”

Mr. Duncombe got the act altered; but it was at the same time enacted, that reference should be made to the Attorney or Solicitor-general in certain cases, and also to obtain the consent of the Secretary of State, a provision which did not exist in the old act, and which, Mr. Chinery states, placed the Land Company in a worse position than before, the Attorney-general having refused to certify on the 31st July, 1846, on the ground that the proposed society was not one to which the provisions of the Friendly Societies Acts should be extended. In consequence of the failure of these attempts to bring the society under the purview of the Friendly Societies Acts, the next step taken was to act on the advice of Mr. Macnamara, of bringing it within the purview of the Joint Stock Companies Act. This course involved considerable alteration in the rules, and other formal documents of the society, the Joint Stock Act requiring the deed to be prepared in a particular way, and to contain certain clauses and covenants. The old rules were therefore abrogated and an abstract of the deed of settlement prepared and furnished to the managers of the society as the rules for their guidance. The further progress in the attempt to secure complete registration under these acts was stopped by the discovery of the enormous expense, and from the peculiar construction of the company, the almost impossibility of effecting it in anything like a reasonable time, or at a reasonable cost. Mr. Chinery deposed in the most pointed manner as to the arduous, diligent, and unremitting efforts which had been made from the first existence of the

society, to procure either enrolment or registration, and especially to the fact, that the utmost vigilance had been used from the time that registration was decided upon until its expense induced Mr. O'Connor to apply to Parliament. Mr. O'Connor asked the following questions:—

“Will you describe to the committee the mode by which the signatures have been procured and the expense of the machinery by which they have been procured to that enormous deed?—I first myself went to Manchester with it, and attended to it personally for a week at Manchester, Stockport, and Macclesfield. I got several hundred there. Then Mr. Roberts's principal clerk at Manchester, was deputed to go with it to the different great towns and districts throughout England, and I rather think it took him six or seven weeks to procure the signatures which appear to the deed now. Previously to that for several weeks at the Land Company's Office it was lying for signatures. I was there myself occasionally, and I always had a clerk or two attending to the execution of it; every name is attested, of course.

“Are you aware of the conference that was held in August, 1847, last year, at Lowbands?—Yes.

“Did you attend that conference?—I think that is the time that I went down to see you upon business.

“Are you aware that at that time it was decided that the company should close and receive no more members at a certain period, namely, on the 1st of January?—I recollect that resolution.

“Are you aware that at that time the company was provisionally registered, and that we were going on to complete registration?—Yes.

“Are you aware that nearly as soon as it was understood that the company was to close in January, nearly as many members joined from the time that that information was given up to the closing of the company as had joined in the two previous years?—From all I have heard it must have been so.

“Are you aware that that would have considerably enhanced the expenses of complete registration, from the necessity of having a greater number to sign that deed?—Yes, I am aware that it would have required all those parties to have been returned, and it would have required a large amount of labour, and great expense in stamp duties.

* * * * *

“Have I told you, that in case of my being foiled in procuring an act, which would save the company much expense in stamps and great litigation, I should then proceed at once, no matter what the expense was, to complete registration?—You have stated to that effect.

“From your knowledge of the company from its formation to the present moment, have you seen in any one single act, upon the part of any of the promoters, anything that would lead you to any other conclusion than that their desire was to have it protected by the law?—I have had nothing to lead me to suppose that it was their desire to do otherwise than to give it legal protection, but the expense was the great obstacle.

“The subsequent expense as well as the current expenses?—Yes.

“Can you form any estimate, apart from the stamps, of the sum that that deed, before it could be completely registered, will cost the company in consequence of the augmentation of the number of members from August to January?—In order to provisionally register the company now, including the whole of the subscribers, exclusive of stamps, I do not think the expense would be much under 3,000*l.*, the names are so numerous. It is very difficult to speak to such a matter, and I would rather not hazard an opinion. I calculate what that deed has cost, and looking to the fact that it contains under 20,000 names, and has only been round England yet.

“Have you ever been connected with any society, or have you ever heard of any society so extensive in its ramifications as this?—Never, except friendly societies. I never heard of any company so extensive, nor any society, except, I believe, the Odd Fellows.

“I mean acting with a centralised power, and under one system of government, have you ever known such a company at all equal to this?—I never have.

“Has there been as much diligence used in the getting up of this deed, as if the company were established by the first merchants in the country?—A great deal more.

“As far as it has gone, and as far as your legal knowledge leads you to any belief, has everything been done, where the law did not throw great difficulties in your way, which could be done?—Decidedly; the difficulties which the law has thrown in the way have been the impediment. Had the society consisted of 2,000 or 3,000 individuals it could have been done with ease.

“You are aware that I have expressed to you, when we talked of having the society certified first, that it was my desire to try this as a mere experiment, never supposing that it would have reached its present extent?—I have understood you generally that you never did believe it could have come to anything approaching to it.

“And that every day, in proportion as people became enamoured of this plan, by the increasing numbers I found myself more and more hampered?—Yes, I have heard you state that.

“And there has been no neglect on my part for a single day,

nor any disposition on my part to do otherwise than forward in all its stages?—That is my belief.

“In fact,” said Captain Pechell, “It is your success that has caused the difficulty?—It is.”

Mr. Chinery was then examined by the Chairman, and Sir B. Hall, as to an alleged inconsistency between the bill introduced by Mr. O'Connor and the terms of the deed. The substance of his replies was, that if that bill was passed, the company would not require a deed at all, that Mr. O'Connor would have had rules prepared for enrolment by Mr. Tidd Pratt, to enable him to certify, and those rules would be strictly in conformity with the law, and not inconsistent with the particular clauses of the deed to which his attention was directed—the shareholders having signed that deed, in common with those who have not done so, would simply be required to sign a document that they belonged to the society established under Mr. O'Connor's bill when it passed into an act, and the society was enrolled under it. By the second clause in the bill, no shareholder is entitled to interest upon any money he subscribes until the whole of his shares are paid up; but when that is the case, the bill proposes that he should have a charge upon the funds for interest, which shall go on accumulating to compound interest, until the shareholder shall become entitled to an allotment under the company. After obtaining the allotment such interest to cease, the interest accruing upon his subscriptions not to be paid in money, but in the shape of a reduction upon his rent-charge upon the allotment when obtained. That clause was expressly introduced to meet the objection as to lotteries, and Mr. Chinery conceived it to be an alteration decidedly in favour of the allottee. The Chairman having asked if it was the basis of the society that portions of land should be allotted by lot, and receiving an answer in the affirmative, asked if there was anything in Mr. O'Connor's bill on that point. Mr. Chinery replied there was not. He was not aware that it was contrary to the present Friendly Societies Act, to allow the shareholders to ballot for their allotments, but if it was, there was nothing in that bill to legalise it—the Chairman wished thereupon to entrap Mr. Chinery into the statement that “this was a mere speculative bill;” Witness: “I cannot say that.”

“Mr. O'Connor.—The way to look at this Act of Parliament is to lay both the necessities of the case and the interest of the parties concerned before the House of Commons, and then to rely on the legal gentlemen in the House to make the Act as complete as possible? Yes, I believe so.

“And you are aware that there are such things as amendments proposed in Acts of Parliament?—Yes, certainly.

“And that an Act of Parliament is a mere naked thing when it is brought into the House, it being left to the legal gentle-

men in the house to embody in the Act what is necessary for the purpose of securing the protection of the interests of the parties concerned?—I have always considered it so.”

This examination concluded the sitting of the committee, and Mr. Chinery, in answer to Sir B. Hall, promised to lay before the committee the facts, so far as he was cognisant of them, with respect to the purchase of the various estates.

On the 9th of June, Mr. Chinery was again called in and further examined. The first part of the evidence was a mere repetition of his former statements as to the preparation of the deed for complete registration, the number of shares, and the amount of capital represented by the 5,756 subscribers of that deed, and the reasons why it was abandoned in February, for the purpose of trying to enrol the company under the provisions of the bill brought in by Mr. O'Connor in May. The object of the chairman was to show that registration was, in the month of February, within the power of Mr. O'Connor. The witness repeated the facts which prevented it, and positively restated, that he had the most urgent instructions from Mr. O'Connor, to take every possible measure for the earliest possible legalisation of the company. The next point was as to Mr. Roberts being named as the treasurer to the society in the printed rules; but that, with certain exceptions, that gentleman had not acted in that capacity according to the strict requirements of the rules. To these questions generally the witness replied:—“The deed contains all proper and necessary regulations for the government of the company, when permanently registered as a company; but I believe those rules have not been adhered to strictly, owing to the want of an expensive machinery in the way of a secretary and clerks; the directors, or the gentlemen calling themselves directors, registered provisionally as such, doing all that business themselves, and being, as I have always considered, not so competent to it as men whose lives have been devoted to that class of business.”

In fact, Mr. O'Connor was the acting treasurer of the society: Mr. Roberts was the solicitor, but residing principally in Manchester, the actual conducting of the law business devolved upon the witness. With respect to the estates purchased, none of them had been conveyed to Thomas Slingsby Duncombe, Esq., M.P., John Sewell, Esq., or Ernest Jones, Esq., the three parties named as trustees, on account of the company not having been completely legalised. The whole of them were purchased and conveyed to Mr. O'Connor alone in the first instance, with the intention of conveying them to the trustees appointed by the company when the enrolment or registration was effected.

The examination then referred to the various estates purchased for the company in Mr. O'Connor's name under these circumstances. The first was Herringsgate, near Rickmans-

worth, Hertfordshire. It was a freehold property of 103 acres, and cost, including timber and valuation before purchase, 2,334*l*. The contract was in March, 1846; the purchase was completed in May (the witness produced the deeds). Mr. O'Connor paid the money in his presence; the witness believed in cash, because they did not usually pay for estates by drafts. The next purchase was Lowbands, in Worcestershire; the contract was made in October, 1846, and the purchase was completed in the December following. It was also a freehold estate, consisting of 170 acres, and, including timber and valuation, cost 3,560*l*. The money was paid in hard cash by Mr. O'Connor in presence of the witness, having been drawn from the London Joint Stock Bank, the bank of the National Land Company, for that express purpose. The next purchase was the estate called Snig's End and Moat Farm, in Gloucestershire and Worcestershire, part of it being in one county and part in the other. Its extent was 268 acres, the contract price was 11,900*l*., but the actual price paid, including some outgoings, was 12,200*l*.; the contract was in June, 1847, and it was completed in November 1847. It was purchased subject to a mortgage of 5,800*l*.; 6,100*l*. was paid in cash, and the mortgage still remains upon it. It is what is called a mortgage in fee, and the purchase of Mr. O'Connor is what is called by lawyers the equity of redemption. Minster Lovel near Witney, in Oxfordshire, was next purchased. It was contracted for in June, 1847, and completed in the following August. It was a freehold estate of 297 acres, and the purchase money was 10,878*l*., including an encumbrance of 5,000*l*. which remains on the property. The equity of redemption was therefore bought in this case as in the preceding. Another freehold estate purchased is called the Dodford and Oldford Well estate, near Bromsgrove in Worcestershire, consisting of 280 acres, and for which, unencumbered, and including timber valuation and everything, 10,350*l*. was paid. The witness also stated that he has another estate in hand now, the Manor of Mathon, near Great Malvern, Worcestershire, consisting of 500 acres, the contract price of which is 15,050*l*., exclusive of all the timber, which is very considerable, and which it is estimated will make the total cost come up to nearly 20,000*l*.; a great portion is freehold, part copyhold. A deposit of 1,505*l*. has been paid on this purchase. The amount actually invested in land the title of which is conveyed, amounts to 44,332*l*., subject to two encumbrances of 5,800*l*. and 5,000*l*., together with the deposit on the Mathon estate, making a total of 35,037*l*. paid for estates. The witness was present at the completion of all those purchases, and saw the whole of the money paid by that gentleman. The witness was not aware that Mr. O'Connor had executed any deed of trust or given any instructions for the preparation of such a deed, neither had he drawn any

leases for any part of these estates, or contracts for the sale of any portion of them. In his capacity of solicitor he knew nothing of allotments having been made to the shareholders, further than from report that such was the case. The total cost of all these purchases, including the price of the stamps on the transfer deeds, counsel's fees, and other law expenses, amounted to 1,017*l.* 15*s.* 10*d.*, and the bill of Mr. Roberts up to December last, for the preparation and obtaining of signatures to the deed of settlement, and previous endeavours to enrol the society, amounted to 2,129*l.*; of this large sum not more than 16*l.* was incurred previous to the preparation of the deed of settlement. Questions having been put as to the treasurership, the establishment of the National Land and Labour Bank, and Mr. O'Connor's connexion with these matters, led to the following cross-examination:—

"Mr. O'Connor.—You have been examined as to Mr. Roberts being the treasurer up to a certain period, and as to the mode of paying money; Herring'sgate was the first estate which I paid for?—It was.

"Do you remember how that money was paid; how it came to my hands?—I recollect now distinctly that it was a cheque drawn by Mr. Roberts upon the London Joint Stock Bank.

"Up to that period Mr. Roberts was the treasurer?—Decidedly; the money was lodged in his name in that bank; it did not occur to me before, but I recollect it now.

"Are you aware that the money coming from different localities was paid in Post-office orders in the first instance?—I have always understood so.

"To whom were those Post-office orders made payable so long as Mr. Roberts was treasurer?—To Mr. Roberts. I stated that the labour was so excessive in signing those orders, that he ultimately gave up the matter.

"To whom were the Post-office orders sent in the first instance?—I cannot say positively, but I believe to the office of the company.

"Chairman.—Do you know anything about it?—No, I do not; I say I believe so; I stated before, that all I knew with regard to that was, that Mr. Roberts had told me, and I had heard from others, as to the difficulty and time it took him to sign the orders.

"Mr. F. O'Connor.—What was the second estate that was paid for?—That was Lowbands.

"Are you aware how the money came to my hands for paying for the purchase of Lowbands?—I think at that period it was a cheque drawn by Mr. Roberts upon the London Joint Stock Bank.

"Do you recollect the circumstance of the cheque being crossed which Mr. Roberts sent to pay the purchase-money for that estate?—I do not recollect distinctly; I have some faint recol-

lection of some difficulty being created in the way of cashing that cheque, in consequence of Mr. Roberts having crossed it.

"Are you aware that you made an appointment to pay the purchase-money the following day, at Cirencester?—That I do not recollect.

"Do not you recollect an appointment for the payment of the purchase-money at Cirencester, on a particular day?—I recollect that distinctly.

"Do you remember my coming to you in the evening, and complaining that Mr. Roberts had sent me a crossed cheque?—I do recollect it.

"And that I could not get it cashed; and I was afraid I should have to disappoint the parties?—Yes.

"Do you recollect that I was obliged to borrow the money, rather than disappoint the parties?—I do not know that that was so.

"You recollect the cheque being sent?—I do.

"Do you recollect, after it was decided to have the company registered, yourself, in my house, stating anything as to Mr. Roberts being continued as the treasurer and solicitor?—I have some recollection that it was stated, that in consequence of the trouble and difficulty it occasioned, you were in future to act as the treasurer.

"Do you recollect anything with regard to my appointment being stated to you, in the presence of the directors, the conclusion which they came to, and the suggestion of your own, as to Mr. Roberts continuing to be treasurer and solicitor?—I suggested that I thought it would be better that Mr. Roberts should not fill the capacity of treasurer as he was the solicitor.

"Chairman.—Have you any recollection of the date of that conversation?—I have not; it was after the completion of the second purchase.

"Sir B. Hall.—Before the completion of the third?—It might have been.

"Mr. F. O'Connor.—With regard to the bank and to the announcement made in those rules, that it was to be auxiliary to the Land Company, do you recollect any conversation that took place when we were all present with counsel?—Yes; it was in June 1847.

"Are you aware of any arrangements that were made as to the directors of the Land Company being also proprietors of this bank?—I believe such arrangements were made, and it was found impracticable upon consulting counsel.

"Were those arrangements submitted to counsel?—The projected arrangement was.

"By which the several directors were to be joint proprietors of the National Land and Labour Bank?—Yes.

"With regard to the bank being established as an auxiliary to the Land Company, what was the opinion of counsel as to

its being established in my name?—The opinion was that it could not be established in the name of the company, but that it could only be established in the name of one individual.

“Sir B. Hall.—Was the opinion that it could only be established in the name of one individual?—The opinion was this :

‘The proposed banking business cannot be carried on by the National Land Company as now constituted, or with any variation of its constitution which would be compatible with its principal design. The statute 7 & 8 Vict. c. 113, prohibits the carrying on of banking business by any company of more than six persons, except by virtue of letters patent granted according to the provision of the Act, and no such letters patent are to be granted if the proposed capital does not amount to at least 100,000*l.* in shares of not less than 100*l.* each, of which capital one half must be actually paid up before the company commences business. The banking business must therefore be carried on independently of the Land Company, and either by a company established under the statute 7 & 8 Vict. c. 113, or by one or more private individuals, not exceeding six. It would not be practicable to have such a business legally carried on by a fluctuating body of not more than six partners, being the directors for the time being of the Land Company. Nor could the property of the Land Company be made directly available as a security to the depositors in any such bank. The bank might lend to the company on the security of its property, but this would be no direct security to the depositors, who must look to the personal responsibility of the banker or bankers. In answer to the question proposed in conference, as to the safety of a bank conducted by several individuals, I may observe, that in a trusteeship there is safety in numbers, because the funds are invested in the joint names of all, and cannot be touched by one without the concurrence of the rest ; but there is no such safety in a partnership, because each partner has power over all the funds, and if inclined to be dishonest or imprudent, cannot be readily controlled by his co-partners, so that the protection derived from the trustworthiness of one individual is liable to be neutralised by the unsteadiness of any one of those who are associated with him. The security usually relied on in dealing with co-partners, of recourse against the private property of each, is in this case out of the question, on account of the magnitude of the responsibility. Mr. O’Connor can, as an individual, open such a bank as he proposes, and lend its funds to the Land Company on mortgages of their property, such loan and security being first duly authorised by resolution of two extraordinary general meetings. But before the Land Company can in any way carry on its operations (otherwise than for the purpose of constituting itself and allotting shares, and receiving deposits to the extent of sixpence in the pound), it is essential that it should be completely registered ; and before it can take conveyances of, or deal with land, it should obtain a general licence for that purpose from the Board of Trade. Mr. O’Connor will not require any licence for carrying on his bank. I do not quite understand the details of the plan proposed by Mr. O’Connor ; but if it involves, as I conceive in its present form it does, the appropriation of the profits (if any) of the business to the benefits of the Land Company, it must be altered, as that would be

within the prohibition of the statute 7 & 8 Vict. c. 113. A division of the profits among such of the depositors as are members of the Land Company, in proportion to the amount of their deposits, would be legal.'

It is signed by George Sweet, 8th of July, 1847."

Mr. Chinery further stated, that in every step he had taken, from the commencement of the company he had been as particular and as critical in looking into titles, and in every other transaction, as he would have been if employed by the wealthiest company in England, and more so, knowing the character of the purchases, and that they were made out of the funds of a very large number of persons. He further stated that Mr. O'Connor had refused good terms from Mr. Roberts, for the purpose of discharging the Herringsgate estate of three small annuities of 20*l.* a year each; he had refused that offer, though anxious to discharge these annuities, lest it might be said there was any collusion between the solicitor and himself. With respect to the purchases being made in his name previously to complete registration or an Act of Parliament being obtained, that was done in consequence of the opinion of counsel. Mr. Sweet suggested that they should be purchased in the name of an individual, who at any time afterwards could re-convey these estates; and Mr. O'Connor himself proposed that none should be purchased in his name, but that it should be done in the name of Mr. Roberts, before a single estate was contracted for. Mr. O'Connor's "name was really put in more nominally than on any other ground;" and his most anxious desire at all times expressed to the witness, was that the society might be legalised as speedily as possible, in order to get rid of the heavy responsibility of that position.

Mr. Roberts drew the cheque in his capacity of treasurer to pay for the Lowbands estate, but about the beginning of 1847 ceased to act in that capacity in any way, and since that period Mr. O'Connor acted as treasurer, and the cheques have been drawn in his name. Being asked why the name of Mr. Roberts was retained in the publications as treasurer, the witness replied that it was from his own inattention; strictly speaking, he ought to have made a return of Mr. Roberts's withdrawal to the registrar's office; as to the publications they were all then printed and in circulation. "It was my own fault. It was my duty, and I omitted to do it." The witness was of opinion that though the conveyances were all made to Mr. O'Connor, that it was well known they were held by him in trust, and he had no doubt that a Court of Equity would give relief to the parties beneficially entitled. It was, under existing circumstances, wholly impracticable to give any undertaking on the part of that gentleman to the *whole* of the subscribers, and as to giving an undertaking to the three parties named as trustees, they were mere nobodies, until after registration or enrolment,

who might be withdrawn or fresh trustees appointed at any time. As to Mr. O'Connor's acting as treasurer, that had been so with the consent of the members at large, and the publication of his balance sheets in the "*Northern Star*" in that capacity was, he conceived, sufficient public notice to all of them that he was acting in that capacity. With respect to the unsatisfactory footing of the existing securities, resting as they did entirely on the personal responsibility of Mr. O'Connor, that was neither the fault of the witness nor of Mr. O'Connor, but of the law. They had made every possible effort to place the company in a situation to enable them to give the formal and legal securities held out in the rules; but they found it impracticable, and consequently were obliged in the meantime to rest the whole affair upon the character of Mr. O'Connor and the confidence of the members in his integrity.

Mr. G. Thompson asked :—

"Has there ever been, since your connexion with Mr. O'Connor or this company, any circumstance which led you to believe that there was any suspicion entertained, on the part of individuals interested in it, of the security for the monies they had advanced, or the realisation of the prospects held out to them?—I never had a communication with a single person who had any suspicion upon it; I never came into contact with any one who expressed such a suspicion.

"You have no reason to believe that the parties who at present belong to this association are apprehensive of the failure of the prospects they were led to indulge?—I have no reason whatever to believe that that is so: I believe they have undoubted confidence in the plan and in Mr. O'Connor.

"Have you ever had an impression upon your own mind that there was anything in the conduct of Mr. O'Connor that indicated a desire to evade the fulfilment of the obligations which he was pledged to bring himself under to the parties who had entrusted him with their money?—Most certainly not; I have every opinion of Mr. O'Connor's intentions to carry everything out connected with the company in the most *bona fide* manner.

"You have had many transactions for some years with Mr. O'Connor, have you not?—Only since the commencement of this particular business in January, 1846.

"Have those transactions and the general demeanour of Mr. O'Connor left upon your mind the impression that he is a man of honour, and in these particular affairs influenced by honourable motives and intentions towards the parties concerned?—Most assuredly."

The witness further stated that he had never had any communications from members of the society requesting him to give information to satisfy doubts or allay suspicions on their parts, if he had he would have been very ready to answer;

and, in conclusion, stated that personally he knew nothing of the working of the system of the National Land Company by the allottees.

Mr. Philip M'Grath, the financial secretary, was next examined. He succeeded Mr. Wheeler in that situation on the 1st of July, 1847, Mr. Wheeler having obtained an allotment of two acres at Herringsgate by purchase. The examination of the witness on this occasion was mainly directed to the object of ascertaining the manner in which the funds were collected ; through whose hands they passed ; whether they were lodged in the bank of the company regularly ; by whom they were expended for the purchase of estates, and the other general purposes of the company ; and lastly, whether meetings of the directors were regularly held, and minutes of their proceedings entered in conformity with the rules. On these points the witness deposed that he took the sums remitted to the central office weekly to Mr. M'Gowan, at whose office the "*Northern Star*" was printed, and who acted as agent for Mr. O'Connor, the treasurer to the company. He paid the money in this way by the unanimous vote of the directors. He made up and published every week in the "*Northern Star*" a detailed account of the monies paid to Mr. M'Gowan as agent for the treasurer, and having received a receipt for the amount paid, his connexion with it ceased. Its control and application thenceforward rested with Mr. O'Connor, who was accountable for it, and for its expenditure. Mr. O'Connor had, by the unanimous vote of the directors, a general power to purchase estates whenever he saw any eligible offer, and to employ labour in the cultivation and clearing of estates and the erection of houses. There was no minute as to the disposal of any particular sum, but the general power vested in Mr. O'Connor was well understood. There was no minute of any specific vote to that effect on the books, but it had been verbally repeated by the whole of the directors. "I may say over and over again." With respect to the disposal of the funds after leaving his hands, Mr. M'Gowan and Mr. O'Connor would be the proper parties to examine ; but Mr. O'Connor had at the Conferences invariably produced his accounts. The Conference then appointed auditors, or a finance committee, from its own members, who came from all parts of the country, to examine them, and Mr. O'Connor attended and produced vouchers for every shilling expended. The balance sheet when approved and adopted by these auditors thus appointed, was then published in the next number of the "*Northern Star*." The witness had been present at these examinations of accounts, he had seen Mr. O'Connor produce his balance sheet to the auditors, and account strictly for every shilling. He knew that Mr. O'Connor had realised considerable profits to the company by the sale of old materials and otherwise. By the sale of one estate he returned a profit of 1,350*l*. Having

been present he was personally cognisant of these facts, though they did not fall under his observation in his official capacity. With respect to the way in which the business was conducted at the office, he admitted that it was not in exact conformity with the rules. He was not prepared to say that it was conducted in express violation of them, but there were irregularities; as, for instance, the rule respecting the investment of the funds in the bank of the company in the joint names of the treasurer and the trustees for the time being; he admitted that rule was not abided by. The rule that all payments to the amount of 100*l.* and upwards should be paid by cheque or order, and that all surplus monies exceeding 1000*l.* shall from time to time be invested in Exchequer bills or other government or real securities, until required for the use of the company, was, he believed, strictly abided by. He could not point to any rule empowering the directors to give Mr. O'Connor the general control over the funds which they had done. In fact, the power was given before the rules referred to were in existence. His exercise of it was well known, and the nature of the operations of the company rendered it necessary. Mr. Roberts still appeared as the principal treasurer, and Mr. O'Connor was looked upon as the acting treasurer with the title of sub-treasurer. By a balance sheet produced, it appeared that up to the 24th of March the total receipts of the company were 94,184*l.* 6*s.* 11*d.*, the expenditure was 4378*l.* 14*s.* 9*d.*, leaving a balance of 89,805*l.* 12*s.* 2*d.*, which was either in the London Joint Stock Bank or invested in the purchase of estates, the allotment and preparation of these estates for the reception of allottees, and the erection of houses. Mr. O'Connor was the party who could state accurately the particulars under these several heads. The expenditure of 4,378*l.* 14*s.* 9*d.* in the balance sheet was the expense for management since the society was established, with the exception of several bills paid to tradesmen at the Land Office, London, which was more convenient for them than to go to Lowbands to receive it. The sum also included payment for some horses. The witness was then examined as to an entry in his cash book, "Paid on account of Mr. O'Connor for Convention, 75*l.* 12*s.* 8*d.*" He stated that he had paid that sum to the order of Mr. O'Connor, which had of course since been refunded by that gentleman though it did not appear in his cash book. It was an account between Mr. O'Connor and Mr. McGowan, as they were debited with the whole amount of the Land Fund for that week. Perhaps the entry was not a very clear one as set forth in his book, but he paid 75*l.* 12*s.* 8*d.* in consequence of an undertaking that Mr. O'Connor would advance some money to the Convention. The Convention was not an object of the Land Company—it had sat in London for several days, and some of the members being deficient of the means of

returning home, they applied, by deputation, to Mr. O'Connor, who, on their representation of the circumstances, consented to give a certain number of them money to take them home, which amounted to the sum set forth in the book as paid by him to the order of Mr. O'Connor. With respect to another item, "Directors' Salaries, 32*l.*," which was periodically carried to their account, there was no rule granting that specific allowance, but the authority under which the money was paid was a vote of the Conference representing the whole company, and the items making up the periodical amount, consisted of weekly payments of 2*l.* to each of the four directors. Mr. O'Connor, the fifth director, received no salary for his services. There was also an item of 36*l.* paid to lecturers under the orders of the Conference held at Lowbands, in August, 1847; that department of the company was now closed; the payment might not have been specially sanctioned by the rules, but he believed the Conference representing the whole company had the power of altering these rules, or of ordering such payments out of the fund as were requisite to promote the interests of the company. He was given to understand that if the Deed of Settlement was completely registered, they would then not possess that power. Having answered questions as to some minor items, Mr. O'Connor, at the close of the examination, asked the following questions:—

"Are you aware that Mr. M'Gowan must see the weekly list that you bring to him every week?—Yes.

"He must see that the monies you bring correspond with the total amount in the list?—Yes.

"Therefore you pay it to him?—Yes.

"With regard to payments to the order of the trustees, do you think it would be practicable for me to carry on the labour operations, and all other operations, by getting orders from any persons to pay those daily and weekly, as I do pay them?—No, I do not.

"Would it have been possible for me to carry on the affairs of this company if I had had to apply to the trustees with reference to these weekly payments for building, and everything else?—It would be very difficult for you to do so.

"I believe, since this company has been established, I have never received any salary?"—You have not.

"I believe, in the shape of premiums given to the allottees out of my own pocket, I have been at a considerable expense?—You have.

"Chairman.—Do you know this?—I know it for a fact.

"Have you seen the payments?—Yes.

"Mr. O'Connor.—The 75*l.* Mr. Clark had my orders to pay, had he not?—Yes.

"And I believe he has received other money than land money, for which he is my debtor?—Yes.

"Chairman.—Do you know that?—I do.

"Mr. O'Connor.—All those monies paid to Mr. M'Gowan I am responsible for?—Yes.

"Have you ever paid me one single farthing of money, from the time the company was established, in cash?—No, I have always made my payments to Mr. M'Gowan.

"Then your accounts with Mr. M'Gowan, and Mr. M'Gowan's transmission of the money to my broker, or to the bankers, and my banker's books, will show whether or not the money has been immediately deposited, and what interest even has been payable upon it from the day at which you paid it up to the present moment?—They ought to show that.

"Deducting the price of land, and the expenditure upon the houses, and getting the estates ready, I think then the difference between that and the 94,000*l.* ought to constitute the balance?—It ought to do so."

The committee sat again on the 16th of June, when Mr. M'Grath was called in, and further examined. The examination occupied the whole of the sitting. The witness after stating in answer to questions, that previous to his being elected a director of the Land Company, and subsequently its financial secretary, he was a member of the executive of the National Chartist Association, and that before his connexion with that body he was bred to and carried on the dyeing business as a journeyman, and afterwards as master for a short time, proceeded to explain in the first instance the meaning of the term "Directors' Levy," which the committee wished to understand. The Directors' Levy was money paid by the members for the purpose of defraying all expenses incidental to the company for the purposes of the company. It was a voluntary contribution, but it was universally understood that it was absolutely necessary to pay it, so that the whole of the Land Fund should be applicable to the purchase of estates, and the preparation of allotments. Each member contributed threepence on each share he held. If the company were registered, he believed that such a payment would be inconsistent with the act, and it would therefore cease. Another item, headed "Expense Fund," was virtually of the same character as the former, the only difference was in its amount, and not as to its application. The "Directors Levy" was threepence a share; the "Expense Fund," was increased to sixpence a share per annum. The amount in the last balance sheet under this head, (1,500*l.*), had been paid to Mr. M'Gowan, with the other monies. In reply to the Chairman, the witness then gave at great length the history of the foundation of the Society, its progress, and the alterations which had from time to time been made in its structure and machinery. In explanation of the terms "Section 1, Section 2, &c.," the witness stated, that it was the original intention of the founders of the society, at its

first establishment in April, 1845, to divide it into sections of 6,000 members each. Experience, however, soon taught those who had the management of the company that by working it in sections a great deal of difficulty would be encountered; sections, therefore, are now abolished, and the whole of the members enrolled form one company. It was also intended that the land should be purchased by each section separately, but, with the exception of the Herringsgate estate, which was purchased with the money of the first section, and allotted to shareholders belonging to that section exclusively, no other estate was so purchased or allotted. Official intimation of this change in the constitution of the society was given in the "*Northern Star*," which is the organ of the company, and which, both by directors and members, is considered to be sufficient publicity. At present the company consists of one body; according to the arrangements of the office, nearly 70,000 individuals enrolled form one grand company. With respect to the successive alterations in name and rules, the witness stated, that the Convention that originally adopted Mr. O'Connor's opinions and ideas in reference to the land, was a Convention which assembled in London in April, 1845. The purposes of that Convention were to promote the political and social welfare of the working classes of this country; and in order to further their social welfare, the scheme was submitted in the general form of an address on the part of Mr. O'Connor. The details for working out those principles were supplied by a committee which was appointed by this Convention. The result was the publication of the

"Rules of the Chartist Co-operative Land Society, established May 19th, 1845, under the sanction of a National Convention, assembled in London in April, 1845."

The shares in these rules were stated to be 2*l.* 10*s.* instead of 1*l.* 6*s.* as at present; but the witness did not think there was much variation in the statement of the object of the society. These rules continued in force until the following December, when another Convention, exclusively for the consideration of the Land Scheme, was held in Manchester, at which some alterations were made, which were embodied in a second set of rules issued immediately afterwards, entitled,

"Rules of the Chartist Co-operative Land Society, established 19th May, 1845, under the sanction of a National Convention assembled in London, and revised by a National Convention held at Manchester in December, 1845."

The witness admitted that it was a mistake to call the Manchester meeting a "National Convention." The second set of rules lasted till August, 1847, with what the witness considered certain inconsiderable alterations in the details in

reference to the appointment of schoolmasters, and as to family tickets in the ballots. In December, 1846, another Conference was held at Birmingham, when a third set of rules was published, embodying the alterations made by that body. The attention of the witness was directed to the fact that these rules established a bank in connexion with the society, and applied as strongly to the banking as to the other departments of the business, and he was asked if that was not an entire, instead of an inconsiderable alteration. He admitted that they certainly were material, and were somewhat at variance with his previous answer; but what he meant was, that the second set of rules were generally in force up to August, 1847. The third set of rules continued in force till the assembling of the Conference at Lowbands, in August, 1847, when Mr. Sweet's opinion was read, that the company could not legally carry on the bank. The directors had, in the meantime, acting on the Birmingham rules, opened a banking establishment, and issued reports of its progress. On ascertaining the opinion of counsel, however, it was resolved to obtain the sanction of the Lowbands Conference to the appointment of Mr. O'Connor as the banker, but unconnected with the company, which it was believed would evade the legal difficulty, and at the same time give the company a *bona fide* interest in and control over the bank. According to the notion of the Conference, Mr. O'Connor was to be a species of trustee for the company, but the company were to be its real owners, and this arrangement was to continue only during the preliminary steps to place the company on a legal basis by complete registration. A set of rules drawn up by Mr. Chinory as an epitome of the deed of settlement, was adopted by that Conference, and published as the rules of the company. The witness having been asked if the company, subsequently to that period, had ever professed to be the owners of the bank, said they had not; but on being shown a balance sheet of the company, from the 24th of June to the 29th of December, 1847, in which it was stated,

“The bank department of the company is rising in public estimation, funds flow into it steadily from all parts of the country, and we have the fullest confidence that when the present commercial panic shall have passed away, and the industry of the country shall have resumed its wonted activity, that the prosperity of the bank will be more astounding than that which has hitherto characterised the land department;”

Replied—“I do not want to disguise the fact that the bank is virtually the property of the National Land Company; but Mr. O'Connor is individually responsible to the depositors.”

“The question I asked you was, whether since the Lowbands Conference the company had held themselves out as the proprietors of that bank. You stated that they had not. This

balance sheet is a document produced by yourself; you have read it of course?—I have. What I meant by my answer was, that no step was taken, in my opinion, which would legally commit the company as the bankers.”

A protracted examination took place on the seeming discrepancy between these answers of the witness, in which Mr. G. Thompson took a leading part. The drift of his questions was to ascertain whether the reference to “the Bank Department of the Company,” in this extract from the report, was made under the impression that it would induce parties to deposit money in the bank, who would not have done so if they knew or believed that Mr. O’Connor was solely the banker. To a searching examination on this point, the witness stated that the position of the bank, in relation to the Land Company, and of Mr. O’Connor to both, was thoroughly understood by all the members of the company, and by the depositors, and thus, in his belief, no false impression had been created, nor had any business been transacted with the bank which would not otherwise have been transacted with it in consequence of that report. To clear up this part of the subject, Mr. O’Connor put the following questions:—

“Do you remember any decision which was come to by the Conference at Lowbands, relative to having the Land Company placed on a legal footing, instead of our being hampered by those difficulties which then presented themselves?—I do.

“With regard to the bank, was Mr. Sweet’s opinion read at Lowbands openly in the Conference to the representatives elected by the people?—It was, I believe.

“Was it there stated that though the bank was in my name, it should be indissolubly in connexion with the Land Company, the depositors having confidence in me for the payment of their money—Yes.

“As long as the bank existed, before the present manager was appointed, has any person applied for his deposit, according to the terms of withdrawal, who has been refused it?—Never to my knowledge.

“Are you aware of any monies being withdrawn from the bank by the depositors, of your own knowledge?—I am.

“That was when the bank was managed by the directors?—Yes.

“Have you ever known an occasion when any impediment has been thrown in the way of a depositor receiving his money back again, with the interest up to that time?—No, not up to that time; all the withdrawals were paid on demand; there was no necessity for a notice.”

The witness believed that Mr. O’Connor either had taken, or had in contemplation, steps to legalise the bank, as part of

the property of the National Land Company, but he had no positive information on the subject.

The next point on which Mr. M'Grath was examined, was as to the strictness with which the present rules were adhered to. He replied they were not complied with to the letter in every instance. The rules state the capital of the company to be 130,000*l.*, with the power of adding 65,000*l.*, making a total of 195,000*l.*, whereas in a balance sheet dated "the 29th September to 25th December," it is stated,

"By careful training and attention the little shrub has grown up a strong and stately tree, defying alike the blast and the storm from whatever quarter they may come; under its expansive branches are now congregated upwards of 60,000 members, holding in the aggregate 180,000 shares; the amount of capital poured into the land exchequer up to the present time (February 23rd) approximates to the enormous sum of £90,000."

"Seeing that in these rules the capital is stated to be 130,000*l.*, with the power of adding 65,000*l.*, has that, the first rule of the company, been abided by?—No; we were led to believe that it was not absolutely necessary to abide by it, but that by a certain legal process the capital might be increased.

* * * *

"Have you ever stated the capital to be 234,000*l.*, or that it consisted of 180,000 shares?—The statement that was made, and provisionally registered, is the statement set forth in the rules of the company, but I believe the directors have the power of altering it.

"The statement which you understand to have been provisionally registered, is the statement of 100,000 shares, with a capital of 130,000*l.*?—Yes.

"You do not believe that the further statement of an additional capital, up to 234,000*l.*, divided into 180,000 shares, has been provisionally registered?—No, it has not."

A new Land Company had been projected, and a few pounds received; but it had not been regularly formed. It was intended to have carried it on at the same office, and by the same clerks, but the numbers and amount of shares had not been fixed. Mr. Wheeler, the previous secretary, left his situation voluntarily; his accounts were settled when he left, and they were correct. There had been losses during his term of office, but not upon his particular part, and the witness never heard any complaints of his accounts. With respect to the minutes of the meetings of the Board of Directors, the witness did not see that it was strictly his duty to keep them. The meetings were frequently held twice a week, and sometimes oftener; but it was not the practice to take regular minutes, and, in point of fact, strictly speaking, there were no minute books of the proceedings of the committee. Such

books as he had he was ready to produce, but the meetings were not regularly reported in them.

The witness, in reply to Mr. Scholefield, said it was intended the land and buildings of the company should be the security to the depositors in the bank. The land and buildings were not considered the property of the allottees. They were to have a perpetual lease at a fixed rent-charge, and interest on capital expended, and in reality that rent-charge constituted the security which the Land Company could offer the depositors. The witness had visited most of the allotments, and stayed sometimes as much as a week in them. The people appeared to be very happy, and though mostly from the manufacturing districts, appeared to him to make better agriculturists than the few farm labourers they had located. The privilege of having an allotment was highly valued. He knew a man named George Wheeler, who had been offered 100*l.* for his right of location upon a four-acre farm ; but he expected more, and had not accepted the offer.

With respect to the mode of electing members of the Conference, each member of the company in the branch where the election is to take place, has the privilege of nominating whomsoever he thinks proper, and the candidates are then voted for upon the principle of universal suffrage. The members so elected in the districts constitute the Conference, before whom the whole of the affairs of the company are laid, and who revise the laws, and make such alterations from time to time as they may see proper ; to it also is submitted the whole of the accounts, which are examined and reported upon by a finance committee, appointed by its own motion and composed of its members. At each Conference Mr. O'Connor had produced his accounts, and they had been duly examined and approved of. Although the Conferences were fixed to be held in January, there was one held at Mr. O'Connor's own instance, in August, at Lowbands, to which he produced all the necessary documents for a full and satisfactory explanation of the financial position of the company ; these were examined by an audit committee of seven members and approved of. As to the irregularities in the mode of conducting business that had been elicited in the evidence, it was impossible from the large, rapid, and unexpected growth of the society, that all the requisitions in the rules could have been complied with. At the August Conference it was determined that the society should close in January, and such was the augmentation of members in the interval, that the receipts, which in the first five months averaged 1,698*l.* weekly, rose in one week, between August and January, to between 5,000*l.* and 6,000*l.*, the number of new members was about 42,000 or 43,000. The utmost publicity was given to all the transactions of the company in the "*Northern Star*," and so good a check was that

found to be, that if there was an error of fourpence in the payments of any district the directors heard of it by the next post. Mr. O'Connor, however, had never charged the company a farthing for any of the announcements of the company in the "*Northern Star*," nor had anything ever been paid for advertisements by the company, though that was a serious item in the expenses of all other public companies. Besides declining to charge the company with these advertisements, Mr. O'Connor had never charged a penny for the large travelling and other expenses to which he had been put in connexion with the company; he had refused the profit of 1,350*l.* made upon the re-sale of an estate, which some of the districts voted that he should have, and had also declined the offer of a magnificent mansion, together with forty acres of pleasure ground attached, which stood on one of the estates. In addition to this expenditure for travelling and other personal expenses, Mr. O'Connor had advanced large sums for other purposes connected with the movement. As to the enormous expense of registration, and the treasurership, the following evidence was given. Mr. O'Connor asked:—

"Was not it the fact, that in our various attempts to obtain, first, enrolment, and then registration, we found ourselves, from the anxiety of the people to join this company, so hampered with legal and technical difficulties, that we could not go on?—We did.

"Do you recollect the directors calling upon me at Minster Lovel shortly after Christmas, when I found out for the first time the immense accession of members who had joined from August down to that period?—Yes.

"Was that for the purpose of showing me the expense it was entailing?—Yes.

"What were my directions to you?—You agreed with us that the expense was most enormous, and that if any other step could be taken to place the company upon a legal basis, the better way would be to take measures at once to secure it, and to take no further steps in the way of registration.

"At those several Conferences which you have attended, have those persons representing the members suggested what they thought necessary, or have I controlled those Conferences?—You never to my knowledge made any attempt to control them any further than giving your own opinion upon the matters which have been brought forward; but I have sometimes seen you defeated.

"In regard to land being purchased, was it with my own consent, or was it with the express desire of the several Conferences, that the land was purchased in my name?—At the express desire of the Conferences.

"Did I or not express my disinclination, and recommend that it should be purchased in the name of Mr. Roberts, or some

other person?—You did; you wished to purchase the first estate in my name, but the directors agreed unanimously that it should be in your own.

“And subsequently the Conferences?—Yes.

“With regard to the change of treasurership; when we were provisionally registered, at whose suggestion was it that I was appointed treasurer?—By the vote of the Conference.

“Chairman.—What Conference?—The Conference that met in Birmingham; that was the Conference, to the best of my knowledge, that passed the vote.

“Mr. O'Connor.—Are you aware that when Mr. Roberts was treasurer sometimes the receipts were 1,500*l.*, and 2,000*l.*, paid in Post-office orders?—Such is the fact.

“Are you aware that as I had to send all those Post-office orders to Mr. Roberts at Manchester, I sometimes waited a fortnight before I could get them back again?—I have often heard you complain of the delay.”

Mr. O'Connor's nephew and his clerk were occupied from morning till night in the laborious and difficult task of getting these orders cashed, although neither of them received any salary from the company for doing that business. In addition to this, the company published some of Mr. O'Connor's works at the office and made a profit upon them. The witness proceeded, in answer to questions, to state the extent of the operations on the estates purchased and allotted. Nearly 40,000*l.* had been paid for land and legal expenses. Two hundred and fifty houses had been erected on these estates, and four school-houses, the land had been cleared and cultivated, and every four-acre farm had 30*l.* as aid money, every three-acre farm 22*l.* 10*s.*, and every two-acre farm 15*l.* The witness was personally acquainted with these facts. This closed the examination and the sitting of the committee for that day. Mr. M'Grath's examination was resumed on the 20th of June, when he was subjected to a lengthened cross-examination on the points of his previous depositions. As, however, no new light was thrown upon these questions, and the cross-examination did not in any degree shake his former statements, it is unnecessary to do more than refer to it, and proceed with the new matter introduced in the course of the sitting of that day. Having been requested by the Committee to produce the minute books of the directors and promised to do so, he then submitted one commencing 25th December, 1847, and containing the minutes of three meetings, the last on the 27th of March, 1848; that was the only minute book in his possession. If Mr. Wheeler, the former secretary, kept any regular record of the meetings previous to that time he could not find it in the office, but he believed that such a record had not been kept. He himself did not strictly abide by the rules as to minutes. The

general principles laid down by the rules had been strictly abided by, but many of the details had been departed from for reasons which he had formerly given. As to the small number of minutes, the business was, in fact, carried on verbally under the constant superintendence of Mr. O'Connor and the other directors; with regard to the balance sheets which he produced, he had no manuscript book of which they were a copy. The original books from which the balance sheets themselves were made up he produced; but it had never been considered necessary to keep a manuscript book containing the reports of the directors, or of the balance sheets. The witness then stated the periods at which the balloting took place for allotments on the various estates. He could not state in the return he had been requested to hand in that day the rent of the several allotments, because it was not yet settled upon; there was a general notion what it was to be, namely, five per cent. upon the whole outlay; but the precise sum was not yet fixed. Five per cent. was fixed by the rules; four per cent. had been mentioned. Mr. O'Connor had shown that four per cent. would be sufficient. Taking the capital of the company at 130,000*l.*, and the number of shares 100,000, it would allow an average number of 33,333 shareholders. The average cost of locating each individual on the plan laid down in page seven of the printed rules, was estimated at 242*l.* 10*s.*, and dividing the capital of 130,000*l.* by that sum it gave 536 for the number of shareholders which the original capital would suffice to locate; as to the remaining 32,797 shareholders, they were proposed to be provided for by the reproductive principle. They enter the company for the purpose of getting upon the land, just the same as those who are put upon the land by the original capital; their hope is in the reproductive machinery of the company. Their hope is that the banking department of the company will so work as to reproduce the original sum, and thus enable the directors to locate as many more, and so on until all are located. To locate the whole of the shareholders at 242*l.* 10*s.* each would require 8,083,252*l.*, and it was with the expectation of the bank reproducing that sum that they entered upon the speculation. Subsequently, Mr. O'Connor asked upon this point:—

“I believe the bank was established to prevent sale or mortgage?—It was.

“To give the occupants an opportunity of purchasing their allotments?—Yes.

“You have been questioned as to the probable time at which all the members could be located; if you bought a hogshead of sugar, at what time do you think you could buy another hogshead, if you were a grocer?—When I had sold the first one.

“When you had sold the first in pounds and half-pounds?—Yes.

“Do you consider that the application of labour to land diminishes the value of land?—I am positive of the fact that it increases it.

“Of course you do not consider that the application of labour to cotton or wool decreases the value of the raw material?—It does not; it increases it.

“When you were asked how many years it would take to locate all the members, of course you did not take into account the sale of the land or the mortgage of the land?—No.

“Very naturally you presumed that 2*l.* 12*s.* would not build a house and buy two acres of land, and give the man 15*l.*?—Certainly not.

“But if that land were sold again, it would buy an equal quantity of land, would not it, if a bad bargain were not made?—Yes.

“And it was from the desire that people had to relieve themselves of rent at one time or other that the bank was established?—That was one great reason.”

The expenses of the bank were defrayed out of the “Expense Fund;” the profits of the bank were considered the property of the Land Company, and are so appropriated. In fact, though nominally and legally the bank of Mr. O’Connor, it is virtually the bank of the company. The witness knew, that in the present state of the company, the depositors would not have placed their money in the bank, except from the confidence they had in Mr. O’Connor, and having been connected with this Land Plan from its commencement, his serious and solemn opinion was, that it would be impossible for any man to manage the business of the company with more fidelity and care, or to be more critical, particular, and strict, in keeping down the expenditure. He was aware, that a variety of assaults had been made by newspapers, impugning both the personal integrity of Mr. O’Connor and the *bona fide* nature of the Land Scheme; but although personally, and in the way of correspondence, brought in connexion with a large number of persons interested in the Land Scheme, he had never received a letter in which any one had expressed any fears or doubts as to the security for his money or the stability of the company. Several had expressed their desire to see the company settled upon a legal basis, but the effect of the articles referred to, as far as the members of the company were concerned, was a universal expression of confidence in Mr. O’Connor, and in the management generally. As to the time which must elapse before all the shareholders would be located, it depended entirely upon the efficiency of the working of the reproductive principle. It would be possible to locate the whole of the members within two or three years if the country took it up

with sufficient spirit and energy, but proceeding at the rate they had done since the formation of the company, as a matter of course several generations must elapse before the whole were located. The members generally had a full and enlightened view of their chances; their opinion and the opinion of the directors, was, that the reproductive principle would work with more celerity than it has done, and the witness believed that it would so work if the company were placed on a legal foundation; the members at large participated in that opinion. A proof of the confidence they reposed in the plan, and in the integrity of Mr. O'Connor, was, that in the fifteen or twenty applications they had had for a return of the monies paid in, no one ever alleged as a reason that he lacked confidence in the company, but in all such cases, it was in consequence of sickness, or want of employment, or parties leaving the country. With respect to the preparation of the balance sheets and the audits at the Conferences, there were all the documents and vouchers produced to enable the audit committees to verify every item in the balance sheets. The nomination of the audit committee rested with the Conference generally, they had been always chosen fairly, and he had no reason to believe that if a person known to have strong suspicions was nominated a member of the audit committee he would be rejected in consequence. "The rule has been hitherto that some member of the Conference would move that an auditing committee of so many persons be appointed; having adopted that vote, it is then competent for any member of the Conference to propose a person as a member of the auditing committee, and from the persons so nominated the audit committee are elected. The last auditing committee consisted of two men from Scotland, two from the North of England, two from London, and I think one from the Midland Counties." The Conference met on Monday, and Mr. O'Connor was in the habit of producing his accounts made up to the preceding Saturday, because, if that rule were not adopted, it would be possible for a man to make up a large deficiency in his accounts by monies which he might receive subsequently to making up the balance-sheet.

After fully examining the vouchers and carefully comparing them with the balance sheet produced at Birmingham, the auditors, who are signed John Shaw, Henry Page, Robert Burrell, William Conn, jun., William Brook, (Town Council. Leeds) Archibald Walker and Daniel Donovan, chairman, drew up the following resolution:—

"The above balance sheet sets forth the receipts and disbursements of the company, from its formation to the meeting of Conference. The balance sheet of the deputy treasurer was presented in a more detailed form than appears above, each week's receipts being set forth, distinguishing the sections, and each number of the

'*Northern Star*,' containing the weekly receipts, being produced. The expenses at Herringgate were laid before the committee in the overseers' account, paid by Mr. O'Connor, and entered at the time of payment to the labourers, or for sums paid for materials, and for all of which stamped receipts were produced. It will be seen that there is no item under the comprehensive term 'sundries' for postage, stationery, clerks, or Mr. O'Connor's travelling expenses, incurred in visiting and bidding for estates, while receipts were produced for every item, down to 5s.; neither is there a single entry under the head 'sundries' in the overseers' book. The members will understand that the balance sheet includes every farthing received up to the last moment, and that the committee, at Mr. O'Connor's request, appointed their chairman to take an account of the several Post-office orders, cash, and other securities exhibited: Resolved—That we, the undersigned delegates, having been appointed to scrutinise the accounts of Feargus O'Connor, Esq., as sub-treasurer to the 'Chartist Co-operative Land Company,' have now to report, that upon the most minute examination of such accounts, we find that every farthing which has been received by him is duly accounted for. The vouchers have been produced for every item of expenditure, however trifling, and that from the bank book, which has been submitted to our inspection, it appears that the various sums which he has received, have been faithfully deposited in the hands of the company's banker, in conformity with rule, and that upon comparing the date of the receipts with the bank deposits, they equally correspond with each other. That in consequence of the infamous calumnies which have been circulated, with the malicious intent of injuring the reputation of Mr. O'Connor, we hereby declare the unbounded satisfaction which the inspection of his accounts with the company has afforded us, and at the same time to express, in the name of our numerous constituents, the gratitude which is due to him for his long and faithful services in the cause of the working classes?"

Mr. O'Connor had no power in the appointment of these auditors, nor had he any powers over the directors of the company; they considered themselves as possessing an equal amount of power in determining all questions connected with the proceedings of the company, and as far as he was in a position to speak, he thought the votes were given in that direction independently. The directors derived their power and authority from the Conference, and it was not in the power of Mr. O'Connor to dismiss any of them; any member of the directory was, however, removable by a vote of the majority of the directors; but it was not in the power of Mr. O'Connor individually to depose one of them. He could not admit that the whole of the funds were under the exclusive control of Mr. O'Connor; that gentleman had full power, both by the vote of the directors and of Conference, over the funds of the company, for the purpose of purchasing land and erecting buildings

upon it. There was, in fact, no other member of the directory, he might say, that knew any thing of the value of land, and even in the absence of any vote of Conference he would practically possess the same power. It would be wisdom on the part of the directors to give him it. The minute passed by the Board of Directors on the 7th of January, instructing Mr. O'Connor to appeal to parliament for an act to legalise the Land Company, in consequence of the great expense attendant upon registration, was passed at the suggestion of Mr. O'Connor, who originated the idea and who certainly threw no obstacle in the way, having concurred in that vote. When he first heard of the appointment of the Committee by the House of Commons, it was his opinion, from his knowledge of Mr. O'Connor, and his general knowledge of the transactions of the company, that he would be able to satisfy the Committee that all the monies that had been from time to time advertised in the "*Northern Star*," had either been faithfully applied to the legitimate purposes of the company, or that the balances were now producible. His strong conviction was, that Mr. O'Connor would afford the Committee the utmost satisfaction as to the funds of the company. With respect to the equitable assessment of the rental of the allotments, he saw no difficulty in it, and no apprehension was entertained by the allottees themselves upon the point. The plan of doing so would be very simple. If, for instance, 8,000*l.* was spent upon an estate, the rent upon that at five per cent. would be 400*l.* a year, and that amount would be raised by assessing the rent according to the size and value of the several allotments, derived from the personal knowledge of land possessed by Mr. O'Connor, as well as of the farmers in the neighbourhood who had a thorough practical local knowledge of its value. The ballots for allotments were conducted with the utmost publicity and fairness to all parties. He did not consider the balloting of allotments in this company as a lottery, because, though what was got in a lottery was by chance, and the land was obtained by the chance of the ballot, yet there was this difference; that whereas in a lottery if you lost your chance once you never get another except by a fresh payment, in this company a man had a continuous chance until he was successful for the one payment. The chances would be continually recurring. Being examined as to the instructions given to the lecturers appointed to go through the country for the purpose of disseminating a knowledge of this scheme, the witness stated their instructions generally were to expound to their audiences the advantages derivable from the small-farm system, and the efficiency of the National Land Company for securing allotments to its members. As to the bank, their instructions were to explain to the working classes the security of the bank; to show them that it was the intention of the proprietors of the bank to make the land of the company se-

curity to the depositors ; and to let them know that they would receive a better interest from the National Land and Labour Bank than they could receive from any other bank of deposit in the country, namely, four per cent. in one department, and four and a half per cent. in another. The names of the parties who were appointed lecturers through the country, were Mr. Samuel Kydd, Dr. M'Douall, and Mr. John West.

Besides these, the directors were in the habit of giving lectures frequently on the subject. He had served with Mr. O'Connor as a member of the Chartist executive for three years, and his course of remonstrance, and his general advice to every lecturer and to every person connected with the movement, had been the best, in the opinion of the witness, that a man could give to persons in their position. He had never held a secret meeting with Mr. O'Connor in his life, nor known him to recommend violence of any kind. The reason why the Land Company dropped the word Chartist in its title, was that the directors were fearful, in consequence of the unfortunate prejudice which exists throughout the country against the designation Chartist, its retention would operate as an obstacle to enrolment under the Friendly Societies' Act. They were wishful that it should not be considered at all in the light of a political institution. He did not think the public and shareholders generally looked upon it as the political engine of Chartism, for they had persons professing every description of political creed in the country. The directors, the trustees, the auditors, the treasurer, the solicitor, and the financial secretary, were all prominent members of the Chartist body. The 'Northern Star,' the official organ of Chartism, was the medium of advertising the accounts of the Company, and all its officers were members of the National Convention; but notwithstanding all these facts, he did not consider that either the public or the shareholders could come to the conclusion that it was an engine of Chartism, because no man—let his opinions be what they may, High Churchman or Tory—was excluded. The Company had no standard of opinion, but was open to all classes. As to the advertisements in the 'Star,' they were inserted gratis, which he believed no other paper would do, and which was a great saving to the Company. This closed the examination.

Mr. M'Gowan, Printer, was then called in and examined. He printed the 'Northern Star' at his office in common with other things, and had acted as Mr. O'Connor's agent in taking charge of the money of the National Land Company since May 1847. Previous to that time, he knew nothing of the accounts of the officers of the Land Company. He undertook the duty merely to accommodate Mr. O'Connor. He did it one or two weeks when the gentleman who usually did it was out of the way, and finding that it took up very little time, and being desirous to serve Mr. O'Connor, and wishing well to the Society, he continued from that time to do it. The money was paid over to him

by two of the directors each week. A list was sent down to the 'Northern Star' of all the monies received. He had that list before him on the Saturday morning when the monies were brought to him, and they handed him over the amount in the list less the expenses which had been paid at the office, of which they brought him an account. He paid the money into the bank week by week as he received it, according to the orders he received from Mr. O'Connor. He had been in the habit of paying it into the London Joint Stock Bank. He had also made payments into the Gloucestershire Banking Company, at Gloucester, either by registered letter, or through Jones Loyd and Co., their London agents, and to Messrs. Clinch and Company at Witney. He did not pay into any other bank, but occasionally he paid money into the hands of Mr. Allsop a stock-broker. He had also paid money to Mr. Roberts, and one small sum to the Land Bank. He paid the money into the banks in the name of Mr. O'Connor, to whose account it was placed. Except where it was paid in to London agents to be remitted to the country, he always received vouchers. When he paid monies to Mr. O'Connor personally he received no voucher, but he made a memorandum of the payment. The witness produced the book in which he made his entries. He paid the money into the bank directly he got it. If he chanced to have money in hand when he got an order from Mr. O'Connor he paid it, if not, he paid it when the week's receipt came in, deducting of course from the week's receipt the sum so paid, and paying the balance into the bank. The accounts of the 'Northern Star' and the monies derived from its sale, were kept perfectly distinct and separate from the land fund by the express directions of Mr. O'Connor; that gentleman had always told him never to allow a fraction of the land money to go to any purpose of his. Mr. O'Connor had lately had occasion to alter his former arrangement of paying ready money for paper and stamps, and he was now paying 4*l.* a week more than he need pay if the transaction were a ready-money one. If Mr. O'Connor were to pay ready money for paper and stamps, he would be a gainer to the extent of 4*l.* weekly. Since the land money had passed through the hands of the witness, not a single farthing of it had been applied to any purpose of Mr. O'Connor's, to the 'Northern Star' or to any thing else. He had been acquainted with Mr. O'Connor about ten years, and the opinion he had formed of him with regard to money matters was that Mr. O'Connor was a punctual and honourable person, with whom it had been as pleasant to do business as with any one else with whom he had had dealings. Previous to commencing operations at Herringsgate, Mr. O'Connor edited the 'Northern Star' and used to be a great deal at the office. Since that period he had so devoted himself to the business of the Land Company, that additional expense had been entailed upon the 'Northern Star.' There was another editor, in fact. With respect to his ac-

count for printing done for the National Land Company, it might have amounted to about 1,000*l*. The printing was Rules and various forms. There had been a vast deal of it, from the extent of the Company. His account showed the manner in which the money was received, and he knew nothing of the accounts of the Company beyond what was stated in the book produced to the Committee. What he had received he had accounted for. He could state that Mr. O'Connor had been more particular about the land monies than his own monies, and as far as he was concerned, if it were a matter of faith, if he had money which he was obliged to deposit on the faith of a gentleman, he would have as much confidence in Mr. O'Connor as in any one else. Being asked as to the profits of the 'Northern Star,' the witness stated that he did not expect to be asked the question, but he could judge pretty closely. He should think the profits of this quarter average 90*l*. a week.

Mr. M'Gowan was again examined at the next meeting of the Committee, when, in accordance with the instructions of the Committee, he produced an abstract of the several sums he had received from Mr. M'Grath at the periods stated in the account. In addition to these, he had received two items of 100*l*. and 1,000*l*. from Mr. O'Connor as money of the Land Company, but from what source these were derived he did not know. Mr. O'Connor brought him the money. The witness was then examined as to the payment of 75*l*. 12*s*. 8*d*. to the National Convention. He did not recollect Mr. O'Connor paying him that specific amount in the month of April, but on the 16th of that month he received 100*l*. from Mr. O'Connor. The sum paid to the Convention by Mr. M'Grath on the part of Mr. O'Connor was on the 27th of April; that could not be a re-payment, of course. At the time when Mr. O'Connor gave him the 100*l*. on the 16th of April he told him that it was wholly unconnected with the Land Company, and was his own money; the Convention was sitting at the time, and he mentioned the hardship of being obliged to pay men whom the country sent up to represent it. Mr. O'Connor made the same statement in the 'Northern Star.' He knew of his own knowledge that Mr. O'Connor paid Hornby, an allottee at O'Connorville, 70*l*. of his own money; which, added to the 100*l*. paid on the 16th of April, gave 170*l*., from which if 75*l*. were deducted it would leave a balance of 95*l*. due to Mr. O'Connor. The 100*l*. was Mr. O'Connor's own money, and a few days afterwards he told him to transfer it to the Land Company. There was a National Assembly sat after the Convention, which was not very friendly to Mr. O'Connor, but he believed that Mr. O'Connor gave many of the men in that assembly, who had abused him for a fortnight, the means of going home, the constituents who sent them there having refused to assist them.

The Committee sat again on the 23rd of June, when Mr. Thomas Price, Manager of the National Land and Labour Bank, was called in and examined. He had held that situation since the month of September last. He believed a gentleman of the name

of Knight, with whom he was not acquainted, preceded him in the management, but he knew nothing personally of the matter. If Mr Knight held the position, it was for a very short time. He believed that he came merely to see if he liked it, and, not doing so, left without doing anything. He believed the bank commenced its proceedings as a bank about the 1st of January, 1847. He had a book in which the first entry was made, and could produce it if he had authority for doing so. He only recognised one proprietor of the bank, in whose name the accounts were made out—Mr Feargus O'Connor. The witness produced a prospectus which he drew up, by his direction, on the 24th of December, 1847. The business of the bank, though carried on under the same roof, was in fact totally separate and distinct from that of the Land Company. The premises were divided into two: all the doors were blocked up except one, and his accounts were totally distinct from those of the Land Company. He had books which showed who had paid the expense of fitting up the bank, and could produce them if he had the authority of the proprietor. (Mr O'Connor here gave the witness authority to lay full particulars before the Committee.) The principal part of the expenses were paid by money received from the officers of the Land Company, by order of Mr. O'Connor. He presumed it belonged to the Company: as far as he understood Mr. O'Connor's intention, the profits of the bank were to go to the depositors, and he should imagine the statement that they were to go to the Land Company was a mistake. If Mr. M'Grath had stated so, he had, in his opinion, made a mis-statement; but he did not speak on any definite information. It was a matter which had not yet been fully decided, either one way or the other. He had nothing to do with it, certainly; and though Mr. M'Grath had had nothing to do with the management of the bank since his appointment to the situation of manager, yet from his previous connexion with it, and his general knowledge of the affairs of the Company, he might be presumed to know what were the facts as to the ultimate views of the parties on this point. He did not admit that there was a banking department of the Company; there was a connexion between it and the Company, undoubtedly. Mr. O'Connor, who was its proprietor, established it with the object of assisting the Company. So far, therefore, the National Land Company had an interest in the success of the bank, and in that view might be said to have a banking department. He was not aware that the Company had any legal right to the profits of the bank. He had no knowledge of anything that took place before his appointment. The only change, he believed, consequent upon that appointment was that one management was substituted for another, and that the bank books were opened in a proper form, which they had not been previously. In fact, he understood Mr. O'Connor had been endeavouring, from time to time, to engage a manager, being very much occupied with other affairs; and persons appointed by the Land Company managed the bank, but so far as he was aware its

constitution was not changed when he became manager. The bank was stated to be a bank of deposit and redemption. Being asked what was the difference in its constitution with reference to these two terms, he replied: "The only difference that I am aware of, is that the money which is paid into the redemption department cannot be withdrawn; in the deposit department it may be withdrawn, subject to certain rules requiring notice and so on. There are certain exceptions, however, to that rule in the case of redemption: if a man has been in great distress, having put his money into the redemption fund, where it bears $4\frac{1}{2}$ per cent. interest, it has occasionally happened that he has written to the proprietor of the bank, requesting that he might be permitted to change from one department to the other; if the case was a deserving one, I have received directions to do so." In keeping the accounts, the deposit and the redemption funds were kept distinct at the time he took possession of the bank, and up to the 22nd September the amount of money paid to the redemption fund was 611*l.* 9*s.* 5*d.*, all private accounts. He could not state how many depositors paid in that amount; there were about 1,700 accounts open. Nor had he any means of telling how many persons had paid in that sum since they had been located on the land. He assumed that the men who had paid into that fund were shareholders in the Land Company; they might not be allottees at present, but they looked forward to being so, and wished to save a little money to redeem their land when they should be fortunate in the ballot. The total amount received in this fund up to the 31st December last was 683*l.* 2*s.* 5*d.* Subsequently to that, the separate account had not been made up. The time for separating the accounts was the 30th of June, and the notice he had received for attending the Committee was so short that he had not been able to make it out; practically however, he might state that the deposits had increased very much, and the redemption fund had decreased. He should think 900*l.* was rather over than under the whole amount of that fund. The depositors had at present beyond the receipt no security further than Mr. O'Connor's character, and their confidence in him. As he understood the redemption fund and the mode of applying it to the purchase of the allotment, it was *bonâ fide* applicable only for the private purposes of the allottees; the price to be paid by an allottee for his land would, he supposed, be regulated by the rent he paid, as, for instance, if he paid a rent of 10*l.* he should expect to have the right of purchasing at 200*l.* Interest might be withdrawn every half-year on both descriptions of deposits, but in point of fact they very seldom withdrew it at all. The witness exhibited the book in which the accounts were entered, and showed the Committee the way in which the account of a depositor was balanced, and the interest caused by accumulation carried to his account. With respect to the principle of reproduction, as intended to be worked out by the bank, the witness said:—"My idea upon that subject is, that if the working portion of the public who are favourable to the land plan, and who may

happen to be allottees, or at any rate shareholders of the Land Company, saw that proper encouragement was given to the plan,—if anything were to arise in Parliament, for instance, to forward the views of the National Land Company, I think there would be a large influx of money into the Land and Labour Bank, and the security they would enjoy would, as I apprehend, be inferior to no security in the kingdom. If the allottees pay five per cent. upon the original purchase-money, the Land Company could then borrow such a capital or such proportion of capital as is represented by the five per cent. interest; and, in fact, though undoubtedly all the depositors in the bank could never receive a parchment deed to give them any real security, still the security would be as good for them as it is in the case of any other individual who banks with a private bank, so long as their confidence in the proprietor remains unshaken.

Confidence is not security, is it?—I take it, it is.

Is it legal security?—It is not, undoubtedly, but still character forms it."

The total amount of the deposits, including the redemption fund and deducting withdrawals, on the 1st of January was 10,768*l.* 18*s.* 10*d.*—the deposits from that to the present time have been 10,443*l.*; four thousand one hundred and seventy-three pounds had been paid out, leaving a fund of about 16,000*l.*, which he looked upon as generally applicable to the purposes of reproduction under the superintendence of Mr. O'Connor; of course always keeping a prudent sum of money in hand for the repayment of deposits. Not more than one-third of the amount ought at any one time to be invested in the land; but when the Company was well established under the protection of Parliament, or by any charter, they might then prudently invest a larger sum of money, because if a temporary pressure occurred they would then be able to get money more easily. They had not made any calculation of the period during which this reproduction must go, or to locate all the shareholders; if the deposits had continued in the same ratio they did shortly after he took the management, it would have been much shorter. But they had suffered immensely from stagnation in trade, and by the numerous attacks in the newspapers, which had made every possible attempt to injure the character of the proprietor of the bank. There had been no greater slackness or any difference since the inquiry before the Committee was commenced. The confidence of the people in the bank appeared to be quite unshaken, and he could state with perfect truth than in every instance in which any withdrawal has taken place from the bank, the latter has always been accompanied with expressions of great regret at being compelled to do it, stating either that a mill had stopped, or that the man had lost a cow, and that, therefore, he was compelled, against his intention, to withdraw his money. At the same time, lately, in common with all savings banks in the country, the withdrawals have been very heavy; in many cases they have exceeded the receipts.

The monies deposited were invested in exchequer bills, with the exception of the cash kept to meet probable withdrawals, and 6,391*l.* which the Land Company had, prior to his taking the charge, received from the bank, and now stood debtor for in the books. No money had been invested in mortgages. The National Land Company had to account to Mr. O'Connor for the 6,391*l.* Applications in consequence of the bad times had been made to withdraw deposits without the usual notice, and in all such cases his invariable instructions from Mr. O'Connor had been to relax the rules in favour of the applicants—the money had always been remitted by return of post. The reason given for preferring investment in the deposit over the redemption was that if they were in distress they would be able to withdraw their deposits, and he had acted on the authority of the proprietor of transferring deposits from the redemption to the deposit fund in order to enable parties to withdraw in every case where application to that effect had been made, after making the necessary inquiries to satisfy himself that it was a case in which he could properly use that authority. Mr O'Connor had between 700*l.* and 800*l.* of his own money in the bank, for which he had always said he did not intend to take any interest. There was another investor who had about the same amount as Mr. O'Connor, but with that exception Mr. O'Connor was the largest depositor. When he spoke of deposits in this case, he meant in cash. Mr. O'Connor was in the habit of paying in money on account of depositors, which he received from persons in the country. There had never been a single complaint of his accuracy, nor had Mr. O'Connor ever withdrawn a single shilling of the money that had been lodged since he had been manager, and from the numerous letters he had received, he should say it was more from confidence in Mr. O'Connor than from the presumed connexion of the bank with the Land Company that depositors sent their money up. Certainly under the present arrangements of the bank he should not be afraid to deposit money there himself. Security, and extremely high security, had been required from the clerks employed; but Mr. O'Connor declined as a compliment to the integrity of the witness to take any security from him, when it was offered. He was aware of the provisions of the Joint Stock Act, by which banks were prohibited from being carried on by more than six persons, unless they got letters patent from the Crown, upon a petition to the Queen in Council. That was the main reason why the bank was not opened by the Land Company—they could not legally do it, but it was open to a private proprietor like Mr. O'Connor to do so, and he was of opinion that although there was a virtual connexion between them, and the expenses of the bank were to be paid by the Company, as well as the profits of the bank to go to the Company, the putting of the name of Mr. O'Connor in the prospectus as the individual proprietor of the bank freed the parties from any penalties under that Act. He himself had always looked forward to the time

when the bank would be under legal security and protection, and had understood that on the complete registration of the Company, and when the necessary papers were handed over to the trustees, subject to such a charge as it might appear the directors of the Land Company were answerable for to the depositors in the bank for the money which they had received, and, of course, on effecting any further loan, they would be in a position to take a loan in a regular form, and to give up the necessary papers as a security.

Mr. *G. Thompson* asked—"Do not you think, taking into account all the changes to which men, however excellent and good, are liable, and the uncertainty of human life, this bank, as connected with the Land Company, is upon a very unsound, unsafe, and uncertain principle?—I imagine that at present that can hardly be the case: if Mr. O'Connor were to die to-morrow, I do not see at present in what way the funds that have been deposited in the bank could be made liable to any but depositors; and, as far as regards the money which does not appear in my hands, the money which has been received by the National Land Company, the trustees or directors of that Company would be still answerable for that amount of money.

Sir *G. Strickland*.] Do you think that the money invested in land could still be applied in such case to the benefit of the depositors?—I think so, certainly; the rent representing five per cent. upon the capital, and the improvement of the land being taken into consideration, would always be available security; I do not see any good reason why a capitalist should not lend money upon such security as that.

Mr. *G. Thompson*.] Do you feel at liberty to state to the Committee whether or not you have yourself been satisfied with all the transactions of that bank in connexion with its object, of the interests of those who are depositors?—I have no complaint to make; I think it is very likely if the directors of the National Land Company had employed a large staff, and gone to a large expense in having book-keepers of great experience, and if they could have afforded to employ a large sum of money for that purpose, it is very likely, supposing the Land Company's deed to have been fully registered, the accounts might have been kept in a more regular form; but there have been a variety of circumstances to prevent it. Those men had a great deal to do: they were, generally speaking, unacquainted with accounts when they came there, and it is only surprising that they have kept their accounts so well as they have. There is nothing in those accounts, I believe, which they cannot give a full explanation of, though they are not kept with that degree of nicety, sometimes, which ought to mark the proceedings of a large company.

You have seen nothing which has been repugnant to your moral sense?—Not the slightest. I have had a great deal to do in requiring explanations from my predecessors, or the directors of the Land Company; now and then it happened that a man had

sent up a certificate for money which did not appear to be entered ; that I could trace to some neglect, but the person who had received the money immediately remedied it. * * *

Have you incurred any risk to the bank hitherto in the investments that you have made?—None.

Do you keep that strictly in view?—Clearly ; I have had lately to provide a larger fund at the bank than I should like to do ; but I have done it in order to keep up the credit of the bank, in order that if a person came and wanted 100% out of his money, being in distress, I should be able to give it : it is for the purpose of strengthening the confidence of the men in the institution.

That would, of course, lessen the amount of interest realised?—No doubt ; and that works unfavourably towards the bank.

Have you speculated?—No ; the only securities I have purchased have been exchequer bills.

As you have been brought necessarily into intimate communication with Mr. O'Connor, what is the impression upon your mind ; is it that in all these transactions it has been his desire to act with perfect good faith towards the members of the Land Company, realising as many advantages for them as possible?—Yes ; I have had the pleasure of Mr. O'Connor's acquaintance for a good many years ; since I have had business connexion with him, I have always found him anxious to promote the interest, not only of the depositors, but of the National Land Company.

If you were dissociated from the bank, and in any other part of the kingdom than the city of London, would you recommend persons in the circumstances generally of those who have already deposited with you, to send their money up to this bank ; supposing there were a man in your place equally honourable and talented as yourself?—I should not have the smallest hesitation in doing so.

Captain Pechell.] In the event of the National Land Company not succeeding, would those parties who have subscribed to the redemption fund be able to get at the money which they have deposited?—I should think Mr. O'Connor would still carry out his views with respect to that ; of course he can answer for himself, but I should think it would be proper and prudent for him to return the money, if they required it.

Have you any doubt that the parties generally have the utmost confidence in Mr. O'Connor?—There can be no question about it ; the difficulties with which the National Land Company had been beset have been so great, that nothing but the great confidence which people have had in him would ever have induced them to put money there.

Having that confidence, they would expect, in case the land scheme did not answer, they would be able to get back the money they had advanced?—I have had a great many communications with different parts of the country, and I have always held out distinctly to them that they had no one to look to but Mr. O'Connor : Mr. O'Connor is proprietor of the bank, and

could not himself make the National Land Company liable at all: that if they had sufficient confidence in Mr. O'Connor, they might send their money; but if they had not, they had better keep it where it was.

Has Mr. O'Connor expressed in any way that in the event of the Company not succeeding, this money lodged with the redemption fund would be repaid?—I am not aware that he has; but he has published his intention, during the present pressure, to repay any person who wishes to reclaim his money.

Mr. O'Connor.] To relax the rules?—Yes.

You were speaking about the difficulty, at the present rate of interest of exchequer bills, of meeting the exact amount of interest payable to depositors; are you aware, having yourself purchased some of them, that I have made a large profit upon exchequer bills?—Yes, upon some of your exchequer bills you have made a very large profit.

I believe, taking interest and all, as much as seven to eight per cent. ?—I dare say you have.

From any conversation you have had with me, have I been anxious or indifferent to discharging myself from the liabilities of the monies, and the trust of all this property?—I have always heard you express a very strong desire to be able to enrol the Land Company, for the purpose of having the land transferred from your name into that of the trustees, when you intended to make the trustees, or the Land Company whom they represent, liable for the amount of the money deposited in the bank.

That before I did hand over the property of the trustees under the direction and opinion of counsel, I would make the property purchased in my name security to those who had deposited their money in the bank?—Security to yourself representing them.

Do you recollect a dispute which arose between the trustees and the committee of a company of mechanics who had deposited largely in the bank?—I do.

What was the position in which that dispute stood between the trustees who had the management of the funds and the committee?—I believe the trustees had the entire control of the funds. I did not exactly understand whence the difference arose between the committee and the trustees, but it was clear to my mind that the trustees were right, and the committee were wrong; that is, *quoad* the fund in our bank, the trustees had the power of leaving it there; and I also understood that the committee were acting in opposition to the body of operatives who subscribed to the society.

When this dispute arose between the trustees who were empowered to invest the funds, and the committee complaining of the investment of the funds, what were my instructions to you?—They were positively to remit the money to the trustees; but I could not comply with that, as the trustees refused to accept it.

Were my instructions to communicate to the trustees, that it was my wish that they should withdraw?—Yes, you said rather than there should be any unpleasant feeling in the society of that kind, you had much rather that they took the money out and waited till their differences were settled, and then they might do as they pleased.

In compliance with my instructions to you, did you write to the trustees?—I did; I have copies of the letters, which I could produce.

After having communicated my wish to the trustees, did they withdraw the money?—They did not; I pressed them twice to withdraw the money, but they as often wrote up positively to refuse it.

From your knowledge of the business yourself, are you satisfied with the clerks and with their manner of discharging their duties?—Perfectly.

What is the salary you pay those clerks, and how many have you?—The head clerk gets 130*l.* a year, and has to find security for 500*l.*; the second clerk has to give security for 300*l.*, and only gets 50*l.* a year; and there is a lad at 7*s.* a week, who is not trusted with any money, but who is perfectly trustworthy.

That is the whole expense, except your own salary?—It is.

The next witness was Mr. HENRY CULLINGHAM, carpenter and general builder, and he was general superintendent of the estates. The object of his examination was to show the manner in which the works connected with the erection of the cottages on the various estates had been conducted, and on which the funds generally were applied in the practical operations of the Company under the superintendence of Mr. O'Connor. Mr. Cullingham stated that he had had the charge of his department since the commencement of building upon the first estate at Herringsgate, and had also been a party to carrying out the financial arrangements as far as he was concerned. He superintended the carpenters, bricklayers, and plasterers' department,—what might be termed the tradesman's department. Mr. King had the overlooking of the labourers. Recently, in consequence of the operations being so extensive, another overseer had been appointed to assist him, who had charge of the joiners, smiths, and bricklayers; and after horses were purchased to do the work of the Company instead of hiring them, a person had been appointed to take charge of them. As superintendent he received the money weekly from Mr. O'Connor for the payment of the persons employed in his department, and kept books to show how that money was expended in wages and material. Mr. King entered in his books the payments made to the labourers. The practice was for him and Mr. King to stand on each side of Mr. O'Connor on the Saturday night, and to call out the amount due to each man, which Mr. O'Connor paid, they entering the same in their books. Not a word or figure of Mr. O'Connor's appeared in these books. The cash-book showed the amount of money received,

the amount paid away every Saturday night, and the balance in hand ;—the witness produced his accounts. The work was now done by contract, but he could from his experience judge pretty near what the average earnings of each man would be. The payments made weekly were on account of the contracts, and at the close the account was balanced. When they were at Lowbands, nine miles from the bank, and Mr. O'Connor, not being in Parliament, personally superintended the whole of the proceedings, it was the custom for himself and Mr. King to reckon up the total amount to be paid in each week, give it to Mr. O'Connor, who drew a cheque for it, and either sent his own servant or a labourer, whom he paid out of his own pocket, for the cash, which was afterwards paid in the way already described. Since Mr. O'Connor entered Parliament, the money was sent to him weekly by Mr. O'Connor. Say, for instance, that Mr. O'Connor remitted the sum of 20*l.* : the wages were paid on Saturday night, a balance struck, and the result supplied to Mr. O'Connor on Sunday. Mr. O'Connor knew pretty well what wages every man was hired at, and if he entered a man at more than the salary allowed he would soon discover it. As to any balances in hand after paying wages, they were either remitted again to Mr. O'Connor in cash, or kept and added to the next week's remittance for wages, which of course would be less in consideration of that balance in hand. With respect to monies arising from the sale of old materials—such as old tiles, slabs, old iron, firewood, roots, &c., the parties empowered to sell them came to the witness and told him the price, made a bill out and brought him the money, which having been entered in his books or in that of Mr. King, was then paid to Mr. O'Connor, or applied in payment of the current wages of the week instead of drawing from the bank. Mr. O'Connor neither sold these materials nor entered the money. Mr. Doyle had charge of this department of the business at Minster ; Mr. King, at Herringsgate and Lowbands. The witness had the account for Sing's End. With respect to the manner in which the money had been expended, he had been in very extensive practice as a builder, and had done business for several gentlemen in the course of his life ; but he never found any person that was so careful as Mr. O'Connor, or who evinced so much anxiety night and day to take care of every penny. If he had been as careful in expending his money as Mr. O'Connor had been in expending the funds of the Land Company, he need not have been there that day ; he should have had a fortune. He had never seen an instance of anything like it, and there never was such an amount of work as that upon these estates done in this world before at so little expense. The personal attendance of Mr. O'Connor to the works had been excessive ; before he entered Parliament—at Herringsgate he especially overlooked the bricklayers, and was never off the scaffold from six in the morning till six at night, unless when having his dinner. No gentleman expending his own money could have been more attentive, vigilant—in fact, penurious—than

Mr. O'Connor had been with the laud money, and he had sometimes remonstrated with him on driving too hard bargains with the workmen; to which his answer was that with his own money he did not care anything about it, but he would not let a farthing more of the other money be spent than he could, because it was the working men's cash. He never knew a tradesman come to Mr. O'Connor and go away without his money if he brought his bill properly made out, and, after submitting it to the witness, had it authorized for payment. It would not be possible for Mr. O'Connor, even if he were so inclined, from the mode in which the transactions were conducted, to defraud the Company of one farthing. With respect to the expenditure upon each cottage, no one was more able to give that than himself; but it would take some time to separate and classify the items so as to get at the exact amount. The expense of the cottages varied according to the locality. At Herringsgate they were built of different sizes—three rooms, four rooms, and five rooms, according to the number of acres in the allotment; but now they were all built of one size, whatever might be the number of the family. As an architect, he would not undertake to build one of these houses singly for 200*l*. When Mr. O'Connor proposed to do them by contract, the contractors in Gloucester proposed as the lowest offer 230*l*. or 240*l*. He estimated the cost under the management of Mr. O'Connor to be very little over 100*l*. for each house. This economy was caused by purchasing in the wholesale market. A builder buying in the retail market would have to pay 3½*d*. or 4*d*. a foot, whereas buying wholesale they got it at 2½*d*. He could not get a single pump under 30*s*.—they contracted for the lot at 19*s*. 6*d*.; and it was the same with bricks, timber, tiles, and ironmongery. In the estimate of 100*l*. he included the timber which was cut off the estates, and the old stone. They brought everything into use they possibly could, in order to reduce cost. The materials bought had in every instance been the very best, and the work was finished in a good, sound, workmanlike manner. As to the workmen, he had never superintended a better conducted set of men; no complaint at any of the estates had ever been preferred against them. When they first went to a place the feeling was very much against them, and when they came away every farmer in the neighbourhood and every gentleman will say they have not lost a cabbage nor a plant of any description, and that they never saw a number of men so well-conducted. With respect to the allottees, they might perhaps occasionally not find things as they expected them at first, but they soon got over that and worked twice as hard, and a greater number of hours than other men, and soon got over all their little difficulties. Some of them say that they would not take 300*l*. for their allotments; others that they would not take any money; that they should spend it, and never be happy again. He believed no rent had yet been paid from any of the estates—all had been paid out of the income of the Company, but that was the case with rail-

way companies and other things besides. The works had first to be constructed out of the income before they returned anything. In the case of the allottees who had been longest located, eighteen months, he was not at all apprehensive that they would not be able to pay the rent. It had not been paid so far, because they had not yet been able to apportion the exact value of each allotment.

In reply to Lord Ingestre, who asked, Would you object, if you had the money, to pay the rent and take it from them?—No, not the least; I bought one lot myself. I was going to observe that there was an allotment for sale, and I wrote to Leeds to say that I was commissioned to give 30*l.* for it, and my mind was made up not to let it go for 50*l.*, and they have been pleased to say they accepted my offer, and if you would come and offer me 100 sovereigns for it to-morrow, I would not sell it.

What rent is it subject to?—It will be subject to 9*l.* or 10*l.* a year. I took it at 10*l.* and I would not take 100 sovereigns for it.

FEARGUS O'CONNOR, Esq., a member of the Committee, was then examined :

The Chairman mentioned to the honourable member that, in his belief, he (Mr O'Connor) was liable to personal and pecuniary penalties, and that of course, although the Committee would willingly receive any statement he might make, it must be upon the clear knowledge that that statement might possibly be used against him with regard to the enforcement of any penalties he might have incurred.

Mr. O'Connor.] I am ready to admit to this Committee that I have violated every law in my attempt to carry out this plan, but that I have violated no question of honour; and I am ready to submit myself to the most searching and rigid examination upon all questions of finance now, and all questions of management hereafter.

The examination then proceeded. In reply to Sir B. Hall, who commenced it, Mr. O'Connor stated that he was the chief promoter of the Land Company, which was first established in the latter end of April, and the first receipts about the latter end of May, or beginning of June, 1845. Up to the 25th of March last he was debited with 89,000*l.* some hundred pounds as the total receipts from shareholders and persons contributing to the Company. Since that time, owing to the French Revolution perhaps, and the state of the times, the receipts had been very trifling. Mr. M'Grath, the financial secretary, could give the account up to the previous Saturday.

By the account which was put in by Mr. M'Grath, and audited by William Cuffay and James Grassby, the amount received was 94,184*l.* 6*s.* 11*d.*, and the expenditure was 4,378*l.* 14*s.* 9*d.*, leaving a balance of 89,805*l.* 12*s.* 2*d.* which he had to account for. Everything that has been spent for the estates in every direction has to be deducted from that gross sum received. In introducing the Bill, he stated that from 40,000*l.* to 50,000*l.* had been invested

in exchequer bills ; Mr. Allsop sent in an account of 29,500*l.*, the manager had 10,000*l.*, making as near 40,000*l.* as possible ; and he had some before that that had been exchanged ; from the beginning to the end perhaps 60,000*l.* The allottees upon the different estates are to pay for their rent five per cent. upon the purchase-money, five per cent upon the expenditure of labour upon those estates, and five per cent. upon the aid money. The precise cost of each estate had not been definitely ascertained, but he could go very near it in the case of Herringsgate and Lowbands. The amount expended for the erection of buildings and work done at the former estate, in addition to the purchase-money, might be taken in round numbers at 8,700*l.* which, divided by the number of acres (103) after deducting the cost of the school-house (500*l.*) paid by the schoolmaster, made the cost of that estate 75*l.* an acre. At Lowbands there would be 149 acres for the Company. After taking off eleven acres of meadow-land flooded, which he had been offered 60*l.* an acre for, the whole cost of those 149 acres was 16,060*l.*, less 720*l.* the price of the land he meant to sell, and less 500*l.* for the school-house. At present it was intended to charge five per cent. upon the school-house, but he intended to reduce it to four per cent. With respect to the estates generally, although he could give a general outline of the expenditure in order to see the possible rent that might be payable by each of the allottees, yet at that moment he was not able to give it accurately in detail. It would take him three weeks to provide such details, to go over all the labourers' books, and the overseer's book, with the overseer and his own secretary. But that was a question of management ; what he thought he was then to be examined upon was the question of finance, in order that they might close that. In answer to Captain Pechell, Mr. O'Connor said he attributed the decrease in the receipts since March, not to the inquiry before that Committee, but principally to the French Revolution and the poverty of the country. There was no want of zeal in the cause, nor had any of the inhabitants been frightened ; they were daily getting more fond of it, and more attached to it. The poverty caused by the French Revolution had caused more withdrawals immediately, and the rules of the bank had been relaxed to meet the pressure on the depositors.

The following portion of Mr. O'Connor's evidence is so important as to justify its being given verbatim.

Lord *Ingestre*.] Will you be so good as to state to the Committee, as shortly as you can, what is the scope and what are the general objects of the National Land Company ?—I think the latter part of the question will embrace what otherwise might appear irrelevant. The cause of my first establishing this society was the conviction impressed upon my own mind, and which I had declared in writing and in speaking for several years, of the effect that free trade, when completed and carried out, would have upon the working classes of this country. I had heard it stated that when one channel was closed, another channel was always open for the industrious classes. I objected

to the question of free trade from 1834, when I was in Parliament, and when I opposed it very violently, down to the time I established this society. During that time I had always made myself a part and parcel of the working-class movement in this country, and in my own country. And I saw, during the time that I was taking part in those movements, that I was always jeopardised, and my life was endangered, when the men who were thrown out of employment called out ruthlessly, "Now we are hungry, come and lead us on." Then I was determined to befriend them, and when I was in York Castle I wrote six letters to the Irish landlords, in 1840, showing that their estates must be sacrificed and ruined if free trade was passed, if they did not subdivide them into small allotments. I showed them that they had come to the House of Commons for relief, which the House of Commons could not grant. I showed that the free-trade party were arguing that question upon enthusiasm, and complete fallacy, without the prudent and necessary concession being made to the landlord class, and the labouring class, as well as to the manufacturing class of this country; and for that reason, well knowing that railways would only be a temporary speculation, and that the workpeople engaged on them would again be thrown upon their own resources, I established this company. But I did not establish it as a mere speculative theory; I had tested it in some measure myself, for I had carried out the spade husbandry to as large an extent in my own country as any other person living in that country; and I found I could make the land produce three times as much by spade husbandry as I could by plough husbandry. Then in 1845, I determined to establish this company, and I established it at a conference of working men, called from different parts of the country; but from their not having any great interest in it, not many assembled. I showed the value of this plan in providing a market, better than the gin-palace or the beer-shop, for those who had small savings to carry to the labour field. When I first established it, I had no more notion of receiving 5,000*l.* than I had of flying in the air. The people became, however, so fascinated with it, that the receipts went on at a speed which I had had no reason to contemplate. As soon as they had raised 4,000*l.* it was determined to carry the plan into instant operation. I purchased the estate at Herringsgate, and my determination was then, as it is now, to give them an amount of aid-money, and charge five per cent. upon the outlay. And when I am asked how that will realise the reproductive principle, my answer to that is, it will realise the reproductive principle with regard to land, precisely as it realizes the reproductive principle with regard to raw cotton, wool, coffee, sugar, or anything else; for it cannot be shown to me that the application of labour to the soil will lessen the value of the soil. Then the only thing I could possibly have to meet would be the aid-money of 30*l.*, in addition to what I expended upon the land. I then found that I could sell or mortgage the land (or that, perhaps, selling it would be better); and

so I was led to believe that the reproductive system, as regards land, could be as well carried out as the reproductive system with regard to any raw material on which a certain sum is expended to make it valuable, to sell again. I was aware that unless I could get Parliament to protect the industry and savings of the poor with the same scrupulous nicety that it does the savings of the rich, I should be always hampered with that question. I have yet to learn that the general expense upon an estate, that is, the expense of labour upon it, can deteriorate its value: and if I am asked as to the question of reproduction, I could easily show what I mean by that to this Committee, as I shall be able to elicit it from the overseer, who has been with me from the commencement. And I would have it observed, that I am advocating the co-operative system, not the principle of communism. My plan is entirely opposed to the principle of communism, for I repudiate communism and socialism. My plan is based upon the principle of individuality of possession and co-operation of labour. What I mean by that is this—that if *A.* and *B.* are labourers, and *B.*'s field of wheat is not fit to reap, and *A.*'s field is fit to reap, then *B.* gives a day to *A.*, and *A.* gives him a day in return. This sort of co-operative system is just what I want. I think I shall be able to show from this system of co-operation, if you admit that men must live in houses, that I can give a man a better house, built in a better style, and with better materials, with outbuildings, and two acres of good land, worth 40*l.* an acre, at a less rent than a builder who builds a single house can give him the house alone for. Therefore, in fact, I put two acres to the house at less rent than the builder could give it at without the land. I found that during that period there was a very great outcry against working long hours of labour, and I found that those who were working those long hours were looking for a Ten-hours' Bill to protect them from excessive labour. I had always thought that it was a strong inducement to a man to work out his own salvation without parochial relief, or eleemosynary aid of any sort, to allow him to work as many hours as he chose, and to go to his own bed when he desired instead of going to the workhouse. And the result of my experiments upon this head has been this—that if I ask an allottee how many hours he works, he asks me what time it is light and what time it is dark; he works from daylight till dark. It is an admitted fact that labour is the source of wealth, and I believe it is the duty of every government to cultivate the usual resources of the country to the highest possible state of perfection. Then I think that a man working and having a regard for himself, every day in the year, will be much more likely to cultivate those resources to the highest state of perfection than a man working for another at so much remuneration. Then if I come to the question of reproduction, and I find a farmer with 100 acres of land employing two men and two boys, paying the interest of his capital out of their labour, able to educate his family, able to live, and either to extend his territory or to retire

with something he has saved—then I say it is better that those men who have no surplus capital should be provided for out of their own labour than out of the poor-rates ; and with this view I undertook this plan at Herringsgate. When I first commenced it, every one in the neighbourhood laughed and scoffed at it, because every one said it was impossible for a man to live on the production of two, or three, or four acres of land. But I met that fallacy thus : I said, “ Show me the man that ever was born, or is likely to be born, that is capable of cultivating one acre of land to one-third part of its capability of producing ; and if you contend that we are obliged to send to other countries for that produce which I say we can produce at home, then you are bound to show me the exact amount of land that a man can employ his labour profitably upon.” My object is to show where the real value of my plan lies. There has been a very great opposition to it, and it is necessary for the Committee to understand the reason of its present constitution. I was determined to establish a settlement where the poor man could estimate the value of his own labour, below which he would not sell it in the market. At Herringsgate we commenced upon too large a scale, because the working classes of England, when they hear of anything for their good, think that nothing can be too exalted, that nothing can be too stupendous or aristocratic, or superfluous to their wants.

Upon this statement a lengthened examination ensued, most of the members of the Committee taking part in it, and putting the most searching questions to the witness. These questions elicited more ample details, which to save space we condense into a connected form, omitting the questions. The object of the scheme might be stated to be to buy estates in the whole, and to sell them in retail, and thereby cause a certain amount of improvement as to the mode in which he proposed to carry out the principle of reproduction on the estates he had purchased. Mr. O'Connor said :—

“ I have shown you, as far as reproduction goes, that I can give you a house and two acres of land for the same rent that a builder will give you the house for ; and then I am to presume, and that is what I seek the Act of Parliament to enable me to do, that I should sell it for what I gave for it, certainly not injured by the labour expended upon it. Then with regard to the reproduction, there is this : if I got the Act of Parliament to-morrow, there are a great number of those allottees prepared to purchase those allotments entirely upon the terms upon which the Company offers them. And then, if I am asked as to the value, I say this : I have given at Herringsgate 24*l.* an acre for land, and there parties have given 100*l.* per cent. bonus ; that is, for land that I have given 24*l.* for, they have given 49*l.* for the very same land. Then the value of the plan is this, that the man who gets his allotment, his two acres, or three acres, or four acres, provides against falling into idleness ; and it also provides against this, that if a man who gets an allotment finds it not according to his taste, or that he has not the means of cultivating

it, that moment he can sell his allotment, and then we can get in his stead a man with capital, who pays him so much money for it. The one man gets it by right, and the other gets it by choice. As to my scheme of reproduction, all I have to say is this, that if the Committee supposes when land is purchased it is a locked-up thing and cannot be sold again, and that it is deteriorated by labour being applied to it, then I give up the land plan." He was now dealing with the question of reproduction, without considering the question of money to arise from the bank, and proposed to reproduce it by sale immediately. The allottee gained an advantage in purchasing land from being a member of the Company. For instance, supposing 100 acres of land to be offered for sale, and a man to have 200*l.* only, he could not purchase that land in the wholesale market; he proposed to make the purchase extend over a long time, and then the allottee would have the same opportunity of purchase as the purchaser of land in tenancy. He went upon the simplest plan of reproduction, by not expecting a farthing more for the land than was given for it. A great many men have made out excessively exaggerated calculations as to what they could produce; but he believed, if the plan were carried out, the odium taken off it, the suspicion taken off it, and the prejudice removed from it, very considerably more might be realised than is generally supposed; that is to say, that an estate which he purchased and converted into allotments of land at 500*l.* a year, for 10,000*l.*, has been so far from being deteriorated in three or four years, that it would sell for 12,000*l.* or 13,000*l.*, and it would be the best security. He would venture to assert that if any gentleman in the Committee, or any gentleman in England, had now 500 acres of land to sell, the price of which sold by auction would be 15,000*l.*, he would undertake in one month to get that 15,000*l.* and 500*l.* a year for it; that is, that the man who could not pay the whole 50*l.* an acre, would pay 30*l.* an acre, and undertake to pay 1*l.* rent as well; "in fact, I have done it." As to the calculation within what time the 33,000 people could be settled: if they would give him the money that they proposed to make 100,000 or 500,000 people emigrate to Australia for, he would locate them before that day twelvemonth.

What is your plan?—My plan is, when I buy an estate to convert that estate, so that if I sell that estate again I can buy more, as frequently as I sell those which I have converted.

Suppose he had 100,000*l.* to expend, and he wanted to convert it, and built 1,000 houses in two months, expending the whole of that money within those two months, then if he can sell those houses, so as to turn that money over twice in the year, it would go on in geometrical progression. That was the only answer he could give; that if you start with 100,000*l.* of capital, and you turn your capital twice over in the year, it would bring then to a definition of his meaning. The whole of the people could be settled as fast as he could build, and reproduce, and sell. When an estate is sold, the aid-money came back again out of that

money. If an allottee sells his allotment, the first stoppage out of that purchase-money is the aid-money ; therefore the estate is discharged from that. The return before the Committee showed the number of persons who have transferred, and the number of others who are willing to transfer, and only waiting for an offer. If the Committee wished to ascertain the value of the land, he could give it them distinctly. Since he was there last week a fellow, who was a very bad fellow, had sold his two-acre allotment. "He sold that bonus for 50*l*. I was offered 160*l*. for another allotment, and 40*l*. bonus ; 200*l*. for another of four acres, with 50*l*. bonus, and double what I gave for it. Then there is the ploughing and the tillage, and so on. The person who sells, gets his bonus less those expenses."

He had taken into consideration the amount of land required to locate all the shareholders. Calculating them at an average of three acres each, it would take 100,000 acres. He had no doubt as to that extent of land being found in the kingdom, or that by that day twelve months—certainly by that day two years, there would be nearly a million of acres sold ; and if the Land Company was like any other corporation, protected by law, he believed there would not be the slightest difficulty in finding the money to purchase the land. Averaging the cost of these 100,000 acres at 35*l*. an acre, it would amount to 3,500,000*l*. Besides the advantage to the individual who got a house which had been erected on the wholesale principle, and with all the advantages of co-operation, at the cost price instead of the retail price, there was a point that should not be overlooked—the estates purchased by the Company were not merely rendered more valuable by the erection of these houses and other improvements, but their cultivable area was actually extended. For instance, the Herringsgate Estate consisted of only eighty-four acres of available land : nineteen acres of coppice upon it had now been cleared and made the best of land. As to the payment of rent by the parties located on that estate, it formed no part of the immediate question at issue. He was anxious not to fix the rents until the Company was legalised, and all the necessary means were placed at his disposal for definitely settling these matters upon a permanent basis. This was certain, that although it was very well known what the rent-charge upon these allotments was intended to be, they had in several instances been bought from the original allottees and a considerable bonus paid. There were no titles granted yet, either to the allottees or to those who paid these bonuses ; and one of the difficulties he had to get over was to determine whether it would be more easy to sell if there were a long lease or a fee-simple. By the deed of settlement it was to be in fee-simple : what he wanted was to give the best protection of law to the residents, and of course that would be, to a great extent, dependent on the opinion of counsel. The rent-charges could be sold for the purposes of reproduction after they were fixed, the same as any other description of property. As to the objection that in that case the land could be no security to

the bank, there would, if the land was sold, be no necessity for a bank; but even so, if the money could be raised in any other way—if the Company passed the Legislature, and the property vested in the trustees, he would give up the bank as well as the land, and that would become security to them. He could not at present give a title to the holders of the land, though he held the fee at present, because, though possible, it would not be prudent, occupying the position he did, as between the shareholders at large and the allottees. He was compelled to purchase in his own name, in order to proceed with the plan; but before a title was granted he must be placed in such a situation as to discharge himself of it altogether. Mr. O'Connor's examination thus concluded:—

Chairman.] Supposing the Committee to be of opinion that the Act of Parliament you suggest should not be proceeded with, how would you then propose to convey the estates to those parties?—I propose to recommend the Committee to draw up such an Act as to carry the object into effect. The object of this Committee, I take it to be, not to sit upon and inquire as to the exact validity of this Act of Parliament, but to inquire and report whether, in their opinion, there is any means of legalising this Company.

Sir B. Hall.] But whether the Committee were to report in favour of legalising the Company or not, there is nothing whatever to prevent you from handing over those estates to the parties who have got allotments under the ballot?—There is this, that anything I can avoid I shall do, so as not to bring myself within the trammels of the law. As the Chairman has said, already I have incurred great pecuniary liabilities; I may say that I have not done anything that I did not think was absolutely necessary for the progress of the thing. I have assumed to myself no one power, and I have done no one single act that was irregular, that I could avoid.

Still, whether the Committee determine in favour of recommending this scheme to be legalised or not, you could, if you desired it, hand over those estates which you have purchased, with the funds of the Company, to the persons who have received the allotments, under the rules and regulations of the Company?—No doubt of it.

Chairman.] Could not you convey those estates to the trustees of the Company named in the deed?—No, I could not, because there is an objection where one person is an insolvent. Although I dare say no person would object to Reed, Irving, and Saunders being trustees of any company, yet I should not wish to convey the property to them. Mr. Duncombe is in a delicate state of health, and Mr. Jones is in bad repute. If the Committee would recommend three trustees, I would at my own expense have a deed prepared, and hand over the estates to them, and pay the whole surplus fund to those trustees the moment they think fit.

They have no power?—All I ask the Committee is, let them recommend.

The Committee sat again on the 30th June, when Mr. O'Connor handed to Mr. Gray, an accountant nominated by the Chairman, a note directing Mr. Price to allow an inspection of the bank accounts, and also stated that the Chairman was at liberty to send down any practical man to examine the property, and rebut the evidence of any witness he might call.

Mr. CHRISTOPHER DOYLE was then called in, and examined by Mr. O'Connor as to the practical management of the estates as far as his own experience went. He had been engaged with Mr. O'Connor from the first, and had the management of the Minster Lovell Estate in the absence of that gentleman. Previous to that he had been a weaver ; but during the four months he was under Mr. O'Connor at Herringsgate, he received constant instructions as to what was to be done when Mr. O'Connor was absent, and of course acquired in the daily routine of the business the practical experience requisite for its management. The witness corroborated the statements of Mr. Cullingham as to the way in which the monies were paid and the accounts kept. He also deposed to the economy with which the works had been carried on, and the excellence both of the material and workmanship. He confirmed the statements as to the kindly feeling with which both the peasantry and the farmers treated them after a short residence in their neighbourhood, and experience of their character and mode of conducting business. With respect to the feeling of the allottees upon the Minster Lovell Estate, he was with them two months after they were located, and had conversed with every one of them : they were satisfied that the money had been most economically expended, that everything was done that could be done, and they fully anticipated that they would get a very good living from their own honest industry upon the estate. In the survey, laying out, and the making of the roads, in the depth of winter, Mr. O'Connor attended himself to the men while he was there as bailiff, and got more work out of them than a farmer would, from the very fact of his being always with them ; and if he was on his oath in a court of justice and asked his opinion of the management of the funds of the Company, and the work of the Company, he would say that his opinion was that Mr. O'Connor went to the extreme of economy, that he was more exact with the Company's money than he was with his own. He must say that he was rather too nice with the money, very exact in making bargains, and seeing that they were kept, too, when made, and by no means so economical of his own time as he was of the Company's money. The witness had been, and continued to be, a director of the Company, having been appointed to that situation by a vote of Conference. His salary was 2*l.* a week, to which Mr. O'Connor added 5*s.* a week out of his own pocket as compensation for additional expenses caused by his residence in the country, superintending the works. His duties had occasionally caused him to be in town and occasionally out. When he was in London, or when specially summoned, he attended the meetings of the direc-

tors, which were held pretty regularly. Mr. Wheeler, on becoming secretary, had entered minutes in a kind of square book, not very large; but he was not prepared to say either that they had always been read and confirmed at the next meeting, or that they were now in existence. He believed Mr. McGrath, the present secretary, entered minutes pretty regularly; he had seen them; but he believed the rules in that respect had not been strictly kept. He received the money and paid the workpeople at the Minster Lovell Estate, and had kept books of his receipts and expenditure, which were immediately producible. On that estate there were eighty allocations, all of which were occupied, he believed, with the exception of two or three. The rent was not settled at present, simply for this reason, that it took two, three, four, or five months to finish odd jobs on the estate after the parties were located, and until all was finished the total expense could not be ascertained. That estate had been put into order for location as rapidly as it could be done consistently with the weather, the time, and the position of the estate. The weather was very bad. Operations were commenced in the latter end of September, and in the months of October, November, December, January, February, March, April, May, and June; that was during the winter and the three wettest months ever known in the spring. They had built cottage houses for 165 people, and two school-houses. At Minster and Snig's End there were eighty-five houses and a school-house on each of those estates.

The witness deposed to similar facts as to the transfer of allotments and the payment of large bonuses to the original allottees as former witnesses. He could not say that the people to whom the allotments were transferred had a distinct notion of the amount of rent to be paid, for the simple reason that the Company was not yet fully registered by the Government. Mr. O'Connor was the man in whom the people had confidence, and they believed that he would act justly, honestly, and honourably. The witness underwent a long examination upon this fact, but it did not elicit any point which has not already been adverted to in the evidence of previous witnesses beyond the fact of the great desire of every working man to get a bit of land of his own. The witness mentioned as a proof of this desire, and also as illustrative of the actual working of the system, that one of the allottees at Lowbands, named Smith, had been offered 10*l.* a year as rent for one acre of his allotment and the occupation of one room in the cottage. The rent was to be paid in advance. He had seen the contract. He understood that Renham and others at Lowbands had refused 9*l.* a year for an acre without any portion of the house. The rents thus paid would be entirely appropriated by the allottee to his own use, as well as bonuses for transfers, minus the aid money when it had been paid. The extreme desire to obtain land, and the difficulty of doing so, was shown by the high rental, from 10*l.* to 30*l.* an acre. This statement appeared to surprise the Committee very much, but the witness repeated it and said he knew instances of it. He knew in Ledbury a friend of

his who was paying 30*l.* a year for an acre of garden ground, and he believed the average rental of land in England for agriculture was more than 5*l.* ; there were no great landed proprietors near Minster, but he was not aware of any hostility having been shown by landed proprietors to the settlement of the allottees, or of their being afraid of eighty persons coming and occupying cottages in their immediate neighbourhood. The land at Minster Lovell was generally good, a portion of it was brashy land. A practical man recommended by the Drainage Society had been sent down to do the draining, and he believed there were not better crops in the neighbourhood or on any farm in the counties of Gloucester and Worcester that he had seen. The opinion of the farmers was that they were extraordinary, and this was simply the result of labour. About a fortnight previous to his examination the witness had obtained an allotment of four acres at Snig's End, by ballot, for which he had been offered 100*l.*

Mr. JOHN HORNBY, one of the allottees at O'Connorville, was then called on by Mr O'Connor, with the view of giving the Committee an opportunity of ascertaining the feelings of those located; but the Committee declined putting any questions, and the examination was confined to a few questions from Mr O'Connor. He had purchased two allotments; the other allottees and himself wishing to thresh the barley, were very anxious for the erection of outbuildings, and he went to the Land office for an advance of money for that purpose. Mr O'Connor gave him an order on Mr Rider, his clerk, for 70*l.* of his own money, which was wanted immediately. He also gave an order for a quantity of timber and of felting for the outbuildings. The money was for labour to erect them. At the latter end of last summer he was witness to Mr O'Connor having given 15*l.* to the secretary at O'Connorville, to be given as premiums to the allottees. The premiums were not merely to be given on account of superior cultivation, but Mr O'Connor said he wished to ascertain who was the best-behaved and sober man, the best father and the best husband, and he would take that into consideration more than the cultivation of the land, and that he would ask the wife how the man behaved to her and her children, as the best authority on the subject.

EDWARD LAWES, Esq., Barrister, was then examined as to the legality of the Company. His attention had been particularly directed to the Acts for the regulation of Friendly Societies, in consequence of the Attorney-General having usually taken his opinion with regard to the cases submitted to him under the 5th article of the Statute 9 & 10 Vict., c. 27, s. 1. Considerable advantages accrue to societies from being enrolled under these Acts. They may sue and be sued in the name of their trustees or treasurer; facilities are also given for the recovery of sums due to the members, their widows, and so forth. They are entitled to deposit their monies in savings banks in certain cases, and other facilities are given for the investment of their funds. Their proceedings are relieved from certain stamp-duties; and in

certain cases property of the society invested in the funds is not liable to the property-tax. In order to bring societies within the purview of the Acts, they must be established for certain specific purposes defined by the statute above referred to. They may be established for the lawful insurance of money, to be paid on death, or for defraying the expenses of burial; for the relief in infancy, old age, sickness, widowhood, or other natural state of which the probability may be calculated by way of average; for making good losses by fire, flood, shipwreck, or other contingency of which the probability can be calculated by way of average; for the frugal investment of savings for better enabling the members to purchase food, firing, clothes or other necessaries, tools or implements of trade, or for providing for the education of the children of members, and for any other purpose certified to be legal by the Attorney-General, and allowed by the Secretary of State as a purpose to which the Friendly Societies Acts ought to be extended. First, there are certain specified purposes for which the society must be constituted; and it may be constituted for other purposes, provided those purposes are legal, and are certified to be legal by the Attorney-General. Having carefully considered the deed of settlement, and the rules and regulations extracted from that deed for the government of the National Land Company, he was of opinion that they were inconsistent with the provisions of the Friendly Societies Acts, and that the society could not be enrolled under these Acts, because it was established for the purposes of a lottery within the meaning of the Lottery Acts; and a banking system being a fundamental part of the scheme, the concern is a mere trading speculation. Without reference to the question as to the legality or illegality of the bank, the mere fact of the society being a bank would alone prevent it from coming within the Friendly Societies Acts. The society was not illegal in consequence of its connexion with the bank, because a society established for the purpose of banking is not one to which the Friendly Societies Acts apply. The disability, therefore, to a certain extent, resulted from the society being a trading one. He had considered the Bill brought in by Mr. O'Connor for the purpose of bringing societies mentioned in it within the purview of the Friendly Societies Act, and he was of opinion that even if that Bill passed into an Act, the society in its present constitution would not be in a condition to be registered as a Friendly Society, because one of the fundamental rules of the society is, that any benefit to be derived should be contingent upon a distribution by lottery; and if the banking system be retained as part of the society, it would be quite impossible for the society to be enrolled, notwithstanding the provisions of the Bill. There was, therefore, the double objection that the society traded in land, and had a bank, which was another trading concern, to prevent its enrolment. Even any society which was strictly legal could not, in his opinion, be brought under the Friendly Societies Act by the certificate of the Attorney-General, because the provision in that Act with respect to societies established

“for any other purpose which shall be certified to be legal,” &c. applied only to societies established for some purpose *ejusdem generis* with these specifically. It was clear that some societies, though somewhat in the nature of Friendly Societies, were not in the contemplation of that Act at all, such as Benefit Building Societies and Loan Societies. Those societies had been already provided for by specific legislation, and the recital of the Act in question makes no allusion whatever to the statutes by which they are governed. He was of opinion that there was no mode by which, consistently with the principles of that Act, Mr. O'Connor's Bill could be altered so as to bring the National Land Company within its provisions. In order to give the persons security who are now holding land under the Company, it would be necessary to pass a specific Act with special provisions for that particular purpose; and such an Act would not only be inconsistent with the principles of the Friendly Societies Acts, but also of the Savings Bank Act, the Lottery Acts, and the Bank Act. Unquestionably the Company could be legalised by Act of Parliament, because Parliament could do what it liked; but if it did pass an Act legalising the Company as at present constituted, it would be a violation of the Acts he had enumerated. If there were an Act of Parliament expressly passed allowing a Company so constituted to be enrolled, it might be so, but not otherwise. In cross-examination by Mr. O'Connor, the witness stated that he was not acquainted with the work done in Mr. Tidd Pratt's office, nor was he aware that the decision of Judge Wightman about two years ago, in the case of the *Queen v. Shortridge*, that the general words in the Act were to be construed as applying *ejusdem generis* with those specially mentioned in that Act, had caused any subsequent difficulty as to the construction of that Act; nor could he of his own knowledge speak as to some societies being enrolled before that decision, which could not now be enrolled in consequence of its having been given. He believed that even if all the prospects held out to the members were susceptible of calculation by way of average, that would not relieve the society of the illegality now chargeable upon it. So long as the benefits were made contingent upon a distribution by chance or lot, it would be within the Lottery Act. Even if the members received four per cent. upon the amount of shares paid up, they could not, by a bye-law, afterwards distribute their property by lot. That fact would still, in his opinion, keep them in the category of lotteries. If the society were not connected with a banking department, one of the circumstances which at present excluded it from enrolment would be removed, and undoubtedly a society could be formed so as to be independent of any banking concern whatever; but then it would not be consistent with the scheme of the Land Company, though he admitted that the proposed deed seemed to contemplate the abandonment of the bank. There was no reason why great alterations should not be made in the projects of Bills. He had drawn up the Health of Towns Bill after its provisions had been again and again discussed by mem-

bers of the government having charge of the Bill, and after it passed through the House of Commons there were considerable alterations and amendments in it—not sufficient, however, to prevent him from knowing it again. With respect to the Building and Loan Societies, the machinery of the Friendly Societies Act was applicable to the Benefit Building Societies, but did not apply to Loan Societies. There were, however, some cases in which enrolment would be permitted where the contingencies set forth were not susceptible of calculation by way of average.

The 6 and 7 Will. 4, c. 32, gives facilities to societies established for the purpose of raising, by subscription, a fund to enable each member to receive out of the funds the amount or value of his share, to erect or purchase a dwelling-house or real or leasehold estate, to be secured by mortgage until the amount of the share is paid.

“Let me ask you this question: suppose that the occupants were located according to priority of payment, and not by ballot; for instance, if there were 1,000 or 100,000 members belonging to a company, and supposing the conditions upon which that company was established were these, that the members should be located in the order in which they have paid up their shares in full, would that take it out of the category of lotteries?—There would be nothing at all illegal in that.

Then if the shareholders in this company were located according to priority, giving priority to those who have been the first payers in full, even supposing that the last member was not located for 1,000 years, those members doing that with their eyes open, would that be any infringement of the Lottery Acts?—Not of the Lottery Acts.

Would it be illegal?—I apprehend that it would not be illegal.

Nor would it then come under the head of trading speculations, each man knowing how many had paid up before him, and all doing it with their eyes open?—That would depend upon the general constitution of the society.

You say the company could be so constituted as to get rid of the Lottery Acts?—It could be so constituted as to get rid of the Lottery Acts; that is to say, there might be a scheme formed quite independently of any distribution by chance or lot.

Are you aware of the manner in which the Art Union is managed?—I am not.

You have not been consulted about that?—No.

Are you aware, by any professional knowledge, of any judgment given as to the legality or illegality of that?—It has been considered to be illegal without the express sanction of Parliament, but I am not aware of any judicial decision upon the point.

Has there been any application made to Parliament to take it out of the category of lotteries?—There are three Acts upon the subject.

Will you state what the provisions of those Acts are, and what they were formed to get over?—The Acts are the 8 and 9 Vict., c. 57; the 7 and 8 Vict., c. 109; and the 9 and 10 Vict., c. 48. The last of those Acts was for the purpose of legalising the Art Union. The two former were in order to relieve the subscribers from certain penalties to which they might have been liable under the Lottery Acts.

I understand then, that in point of fact it was something like the Bill brought in with relation to the *qui tam* actions; that one Act of Parliament was passed to relieve those members of the Art Union from the liabilities which they otherwise were under for having violated the Lottery Acts; is that your statement?—Yes, it is.

And then there was the admission that there was an infringement of the Lottery Acts?—Just so.

And upon the same basis it stood upon then it stands now, legalised by the subsequent Act you have referred to?—Yes, just so.

And being in the nature of a lottery, those members were released from the illegality that they had themselves committed?—Yes, just so.

I presume, then, that if I wanted a precedent, of which the House of Commons is very fond, and if it was shown that I had committed various breaches of the law, and which I am quite willing to confess, then the Act passed in favour of the members of the Art Union would be a very good precedent for an individual to go by?—The answer to this question could hardly form part of a legal opinion.

You are aware that if this were shown to Parliament, namely, that the object of the promoters of this society was to do all that Parliament would require to prevent trading speculation, there would be no difficulty in taking it out of the category of lotteries; that the members might be located by priority of payment, and that the bank might be separated from the concern; then it might be brought, as well as the Art Union, within an Act of Parliament, and so might be legalised?—The only answer I can give is, that Parliament can sanction anything.

Supposing that I release this society from the provisions of the Lottery Acts by locating the members according to priority of payment, and separate the bank from it altogether, then it may be legalised?—I see nothing illegal in its nature then.

Then I presume in the one case, finding that I should have to pay stamps and property tax, and in the other case not, the being sanctioned by Act of Parliament so as to bring the society under the Friendly Societies Acts, would be a greater advantage to a large company of this kind, numbering 70,000 people, than being completely registered as a joint-stock company?—It would of course be a great advantage to be relieved to some extent from stamp duty and property tax.

In answer to the Chairman, who put the leading question as

to whether there had not been conflicting opinions as to the legality of the Art Union before the Bill for legalising it was passed, and whether there had ever been any doubt as to the illegality of the scheme of the Land Company; the witness replied that he had some recollection of conflicting opinions on the first point, but no positive knowledge; but as to the illegality of the Land Scheme, he entertained no doubts, and had never heard any.

The Chairman further put the following important questions :

If the existing machinery and constitution of the society be abandoned, would the present subscribers be enabled to recover back their money?—Questions such as this are always attended with considerable difficulty; but I apprehend that depositors who have contributed to this society without having sanctioned an abandonment of the scheme upon which their money was contributed, either expressly or impliedly, by participation in the benefits of the society, or otherwise, would be entitled to recover back the money so contributed. . . . The general rule, however, is, that where money is paid towards an illegal scheme, and the parties assent thereto, they are not entitled to recover back their money.

Upon this statement Mr. O'Connor asked :

You have been questioned as to the liability of the promoters to the recovery back of money by the members in consequence of an alteration of the scheme. You say that if men knowingly join an illegal association, and the association is continued according to its illegal provisions, then, having joined with their eyes open, they cannot recover back; you have stated so?—I stated this : that as a general rule, where parties participate in an illegal undertaking, the one cannot recover from the other the money he has paid for carrying out the illegal views; but that looking to the nature of this scheme, I consider, that in order to justify the promoters in carrying out the scheme at all, they must in the first place obtain a certificate of complete registration from the Registrar of Joint Stock Companies.

We take the groundwork of consent now to be the deed of settlement, supposing those who have signed it to have abandoned the old provisions and adopted the new?—Those members who have signed the deed could not recover back.

As many as have signed it?—Yes; I do not apprehend that the members who have signed the deed of settlement could bind the whole proprietary.

It binds those who have signed it?—Yes.

If the abandonment of any former provisions, and the adoption of completely new provisions is brought about by the assent of the members of the company, that also, I believe, would release persons who would otherwise be liable to repayment?—Yes.

Then those persons who have already abandoned some of the original provisions by having entered into new ones, and consented to apply for an Act of Parliament which would be a violation or an over-riding of the provisions of the deed of settlement,

have released the promoters?—Any member who assents to the abandonment of the scheme could not recover back money contributed by him.

The witness was next examined as to the possibility of registering the Company under the Joint Stock Companies Act.—He considered that as at present constituted it was not in a position to be completely registered, and that if it were so it would not be in a better position. It was an illegal concern, and the Joint Stock Companies Act had only in view the registration of a legal partnership. The Registrar had no power to register an illegal society. He had read his evidence before the Committee attentively.

Sir *B. Hall.*] You stated that you had read the evidence; question 98 is in this form: “In bringing the deed for complete registration under your notice, should it appear upon the face of the transactions that the promoters have been acting contrary to law, do you consider that a reason why you should refuse your certificate?” That is addressed to Mr Whitmarsh, and to that he answers, “No, I do not think I can do so.” Do you concur in that answer?—With great deference, I do not. If the illegality appear upon the face of the documents submitted to the Registrar under the Act, I am of opinion that he is not bound to grant a certificate of complete registration.

Mr. *F. O'Connor.*] Is he bound to register it provisionally?—I should say that if upon application for provisional or complete registration the illegality appear upon the face of any document or return, the Registrar would not be bound to grant a certificate in either case.

A certificate of provisional registration?—If illegality appear upon any return sent to the Registrar's Office, I do not think he is bound to grant the certificate.

Who would you consider to have led the Company into error if it had been previously registered, its rules and all being known to be illegal, and the lottery appearing in those rules; that is, who would you consider to have infringed the law, the Registrar or those who were misled by him upon applying for the provisional registration of a company which upon the rules appeared to be illegal?—Those who tender the illegal concern for registration are answerable. He considered that “the promoters and shareholders of the Land Company of the society was *assumed to be a legal one*, had rendered themselves liable to all the penalties under the Joint Stock Act; *but supposing it to be an illegal society, it might be questionable whether these penalties could be recovered, because the Act only contemplates legal partnerships.*”

With respect to the banking department, the witness, having stated the law as applicable to bank partnerships, and the penalties for infringing its provisions, with liability to be prosecuted for misdemeanour, and punishment by fine and imprisonment, or either, at the discretion of the court, proceeded, in reply to question, to state that he had read the evidence as to the connection of the bank with the Land Company, and he thought on that

evidence it appeared that Mr O'Connor was the agent for the National Land Company, and carried on the bank accordingly.

Mr. *Walpole*.] If the change that took place in 1847 had given to Mr. O'Connor alone the profits of the bank, and made him subject to all the losses, then the other shareholders would not have continued liable as partners in the bank?—No, then the bank would have been a separate concern.

Your opinion of the liability of the shareholders, notwithstanding the change, depends upon this, that they are still sharing the profits and losses of the bank?—Precisely so.

Chairman.] Does the fact of the bank being carried on at the expense of the National Land Company, and the profits of the bank being divided between the members of the Land Company, constitute that Company the bankers?—Participation by the members of the National Land Company in any of the profit and loss accruing from the National Land Bank constitutes the members of the National Land Company partners in the National Land Bank.

Notwithstanding, therefore, that the Company may have professed not to be the proprietors of the bank since August, 1847, that profession would not relieve them from the liabilities resulting from their having carried it on in point of fact?—Not in the slightest degree.

Do you recollect whether it appears in the evidence given before this Committee, that the attention of the members of this society had been called to the illegality of so carrying on the bank, about July or August, 1847?—I do.

Do you apprehend, from what you have seen in that evidence, that the members were or were not perfectly cognizable of the liabilities that they were subject to by so carrying on the bank?—I see no reason to doubt it.

Mr. *F. O'Connor*.] Am I to understand you that the shareholders in the Land Company are liable to the depositors in the bank equally with myself; that is, are the shareholders and the property of the shareholders of the Land Company liable?—Yes.

And the property of the Company is liable to the depositors in the bank?—Yes.

You are clear that the property of the Company is immediately liable to the depositors in the bank?—Supposing that the Company has any property legally vested in it.

Supposing it has land?—Supposing that any property is legally vested in the National Land Company, such property would be liable for the engagements of the National Land Bank.

Mr. *Walpole*.] The Company is liable as a company if it is a legal one?—Yes.

And supposing the Company is not legally constituted, then the members of the Company, sharing in the profits and losses of the bank, would be liable in their individual capacity?—Yes.

Mr. *F. O'Connor*.] Then that responsibility will equally attach to those located on the land, and to those who have not been located upon the land?—That would depend upon whether the

members located upon the land continued to be members of the Company. By the constitution of this Company, it appears that after an allotment of land, and the allottee has been placed upon the land allotted, he is in the condition of an owner, simply subject to a rent-charge. If the allottee continues to be a member of the Company after all the members of the concern have obtained allotments of land, then he becomes entitled to participate in the profits, and would continue to be liable to the debts of the Company. But the allottee may part with the land allotted to him, subject to the rent-charge, and if he should so part with it to any person not being a member of the Company, it would be freed from the Company's liabilities.

Mr. *Sullivan*.] Does not the rent-charge itself become liable?—Yes; and if the allottee continues to be a member of the Company, and the land allotted to him continues to be his property, then that property, as being the property of a member of the Company, would be liable.

That is, his interest in the land?—It is absolutely his property subject to the rent-charge, for the National Land Company would continue to receive the rent-charge, but would have no control over the land except to enforce payment of that charge.

Mr. *F. O'Connor*.] Then I understand you to say this: that as long as the allottees are recognised as members of the Land Company they are liable to the depositors in the bank, and all their property, even if they hold more than what they hold under the Company?—All the property which they possess would be answerable.

Does the payment to the expense fund of the Company, after the allottees are located, and the performance of obligations due to the Company, constitute them continuous members?—If they continue to contribute to the society, and continue to participate in the concern as before, they still remain members.

Then with regard to the members of the Company who continue to hold the lands allotted, the lands they so hold, and all other property they possess, are liable to the depositors in the bank; is not that so?—Yes, so long as those persons continue to be proprietors of the National Land Bank.

Then I am to understand distinctly, that as long as they comply with all the regulations and rules of the society, whether they be located or not, the property they continue to hold is liable to the depositors in the bank?—Yes.

We have heard a great deal about the continuance of the proprietorship of this bank; will you be pleased to tell me, according to your professional skill, how you would decide to whom this bank belongs?—It is a mere question of fact.

Will you tell me how you would connect the bank, if you were required to do it professionally, with the National Land Company, and separate it from my individual possession?—The National Land Company could only carry on a banking concern according to law by complying with the provisions of the Act relating to joint stock banks.

And those provisions have not been complied with?—They have not.

You know of no law to prevent a person with pen, ink, and paper constituting a bank?—Any number of persons, under six, may set up a bank at their pleasure.

And as far as my property goes, I should be liable to all the depositors in the bank?—Yes.

And my property alone would not be the only security which the depositors in the bank would have, but all the property of the members connected with the Company, located or not located, would be liable?—So long as you and they continue to be partners in the concern.

Chairman.] Is not the criterion of whether a person is a partner in a bank or not, this: whether he pays the expenses and shares in profit and loss?—The simple question is, whether he participates in the profit and loss; if he does, he is a partner in the concern.

The members of the National Land Company having been proved to be sharers in the profit and loss, they are all of them partners in the bank?—Unquestionably.

And the mere fact of Mr. O'Connor putting up his name as the nominal banker is merely an evasion of the law, and will not relieve the concern from the provisions of the Bank Act?—I do not think it even an evasion. The case seems to me to come within the very letter of the law.

Sir B. Hall.] You have seen by the evidence that the whole of the property which has been allotted and which has not been allotted, but has been purchased by the funds of the Company, stands in the sole name of Mr. Feargus O'Connor, to whom the fee simple is conveyed?—I think that it is so stated.

Then I apprehend that if Mr. Feargus O'Connor were, in point of law, the banker, all this property would be subjected to the liabilities of any bank of which he was a proprietor?—Just so.

Mr. F. O'Connor.] Then I understand you, in answer to the question of Sir Benjamin Hall, to say, that all the land of the Company purchased in my name is liable to all the deposits in the bank?—That is correct.

Sir B. Hall.] Whether allotted or not allotted, those allottees having no title to their estates?—Any property to which Mr. O'Connor is legally entitled would be answerable for his liabilities as a proprietor of the National Land Bank.

Supposing that Mr. Feargus O'Connor was the proprietor of this bank, and that the bank were to fail, then the property which those allottees hold would be subject to the payment of Mr Feargus O'Connor's liabilities as the principal of that bank?—If Mr. Feargus O'Connor is the sole banker, and the bank is in point of law his banking establishment, then any property in his possession would be answerable to his liabilities; but the land allotted would not be answerable.

It appears by the evidence that Mr Feargus O'Connor has the fee simple of the estates upon which the allotments have taken

place, and that up to the present time no title has been given whatever to the allottees, consequently, the fee simple remaining in Mr. Feargus O'Connor and his heirs, would not the whole of the property which has been allotted to those several persons be subject to the liabilities of Mr. Feargus O'Connor if he were to fail as a banker, those allottees not having any title to show for their estates?—I apprehend that would be so."

At the next sitting of the Committee, Mr. Lawes was again examined as to the bearing of the Lottery Acts upon the National Land Company. He stated, that the Acts now in force commenced with the Statute 10 and 11 Will. II, c. 17; and that ever since that period there had been a succession of statutes against lotteries, including the 8 Geo. I, c. 2; the 12 Geo. II, c. 28; the 22 Geo. III, c. 47; the 27 Geo. III, c. 1; the 42 Geo. III, c. 119; the 46 Geo. III, c. 148; and a more recent Act, 6 and 7 Will. IV, c. 66. The general principle of all these Acts was to prohibit, under certain pains and penalties, the setting up or keeping any office or place under the denomination of sales of houses, lands, or other things for the improvement of small sums of money, or selling or exposing to sale any houses, lands, or other things by way of lottery, or by lots, tickets, numbers, or figures. The penalties for infringing the several Acts apply not only to the projectors of the lotteries, but to the publisher of their nature, and to all persons who contribute to any such sales, lotteries, proposals, or schemes, who forfeit double the sums paid or contributed. Having looked at the rules of the Company, he was of opinion that those relating to balloting for allotments brought the Land Company within the Lottery Acts. His definition of the term lottery was, a distribution by chance or lot. A lottery was not merely one in which, as soon as the lottery was over, all connexion between the rogues and the vagabonds, and the holders of the tickets, ceased. That was one description of lottery; the ordinary description of a lottery coming within the purview of the Acts he had cited was, that as soon as the tickets were drawn and the prizes disposed of, all connexion between the establishers of the lottery and the persons ceased, and it was a mere case of blank or prize. But although that was the ordinary description of a lottery, he was of opinion that they applied to the Land Company, notwithstanding the shareholders had a continuous interest in the Company, and a probable contingency of success susceptible of calculation by way of average. All schemes for the purpose of distributing any piece of property, whatever it might be, by chance or lot, was a lottery, and as such subject to the Acts. Parliament had legalised Bish's and other lotteries, and what Parliament did of yore it might unquestionably do again. On this statement of the law, Mr. O'Connor asked—

Not legally or professionally, but in your situation as a man, have you heard of pictures being balloted for?—I have.

Does that come within the purview of those Acts?—Do you speak with reference to the Art Union schemes?

Not particularly. Books, horses, or pictures ; anything ?—I have heard of lotteries for pictures.

Then all those persons would be liable to be treated as rogues and vagabonds, and be liable to imprisonment or fine, who have violated those Acts in those respects ?—Taking your question to be a general question, whether a lottery for pictures would come within the letter of those Acts, in the absence of Parliamentary sanction, I may answer, Yes.

There was also betting on the turf. Supposing that there are certain prizes balloted for, all the contingencies depending upon the winning of a certain horse, all drawing blanks with the exception of the person who has been fortunate enough to draw the winner ; does that come under the statute ?—Yes, unquestionably. The case of Allport and Nutt, which is reported in the first volume of the “Common Bench Reports,” is directly in point. In that case, a certain number of subscribers paid 1*l*. each towards a scheme, according to which the subscriber whose name should happen to be drawn out of a box next after the name of the horse which turned out to be the winner of a certain race, was to be entitled to receive from the defendant 100*l*. It was held that this was a lottery within the meaning of the Acts.

Then are those noblemen and those gentlemen connected with the Turf Club, who have been parties to those things, liable to be sent to the House of Correction as rogues and vagabonds for a term not exceeding three months with hard labour ?—If they come within the meaning of the Act by which that punishment is prescribed.

Then I understand distinctly, from the tendency of your last answer, that the most honourable man may be convicted by the laws of England as a vagabond and rogue ?—He may if he contravenes the law, even unknowingly ; every person is supposed to know the law.

Though it is proved to a Court of Law and Equity that his conduct is most honourable and upright, he may be convicted as a rogue and vagabond ?—Most unquestionably, if he comes within the Acts by which that course of proceeding is described.

I think we had it from you on the last day of examination, but I should like to have it from you now more freshly, that the Art Union was formerly considered to be illegal ?—There are three statutes, as I mentioned on the last occasion, with respect to Art Unions, the 8 & 9 Vict. c. 57, the 7 & 8 Vict. c. 109, and 9 & 10 Vict. c. 27. The two first were passed to relieve the members of the Art Union from the penalties imposed by the Lottery Acts, and the last to legalise the scheme itself.

Then am I to understand you, that previously to the passing of those two indemnity Acts, the conduct of all the parties connected with the Art Union would have come within the purview of the penal Acts to which you have referred, and that they would have been liable to the penalties ?—I think it would.

And yet those parties were indemnified ?—Yes. The Act 9 & 10 Vict. c. 27, distinctly recites that the parties may have be-

come liable to the penalties imposed by the Lottery Acts, but that it is expedient they should be protected and discharged from such liability so long as their proceedings are carried on in good faith for the encouragement of the fine arts.

In point of fact, we have that precedent now established before us, that a very extensive union had acted illegally, and that two Acts of Parliament (for one was not enough) were passed to indemnify its members?—Yes.

And now their practice is precisely the same—not that they have sought to make that difference in their practice, which would have made the society, which was previously an illegal one, a legal one, but they have been now legalised in their old form by Act of Parliament?—Yes.

Then we have the fact that the Art Union is now legalised, and that it would still be in violation of the general Lottery Acts, were it not that it had been legalised by special Acts; is that so?—Yes.

Seeing that the case of the National Land Company is that of a company who have acted illegally, and then endeavoured to act legally, so as not to commit any further illegal act, do you see any great difficulty in legalising it under such circumstances, considering that special Acts have already passed for legalising a concern which has continued in the same situation in which it was before?—It seems to resolve itself into this question, whether there will be any impediment to the legalising of this society by Parliament.

I ask you for a distinct opinion as to whether you see a difference between the case of a concern that had abandoned its illegal practice, and acted from a point legally, and the case of a concern which has been indemnified by Act of Parliament, and continues to act precisely in the same manner as it did originally?—If the concern up to a certain point has been illegal, and the illegality is afterwards abandoned, it is entitled in its legal state to the protection of the law.

If up to a certain point the members of a society have acted in opposition to the Lottery Acts, and if after being made acquainted with the illegality of their practice they abandon the illegality, do you think that that would absolve them from penalties?—In respect of their subsequent proceedings there would, of course, be nothing upon which penalties could attach. But in respect of their former proceedings, unless there be (as there is in some of the Lottery Acts) a limitation of time within which proceedings must be taken, and the time limited has been allowed to lapse, the penalties already incurred would be still recoverable.

The witness, on being still further cross-examined at great length, maintained the opinion that, taking the strict construction of the Lottery Acts, the penalties inflicted by these Acts were incurred and recoverable even where the object itself was perfectly legal, if any ballot or chance intervened to carry that object out. He was also, in the course of the examination, ques-

tioned at considerable length with reference to his previous replies on the liability of the shareholders of the Land Company, as well as of Mr. O'Connor, to the depositors in the bank. The Chairman asked him :

All the real estate of this Company having been conveyed to Mr. O'Connor, and all the personal estate having been paid over to him, would that estate, real and personal, be liable to the payment of his debts?—So long as he continues to be in absolute possession of the property, and no other persons have any of the indicia of property, I conceive that it would be liable to his engagements.

And he would also have the power of disposing of it?—I think so.

Supposing he were to die, how would that property devolve?—The real property would go to his heir, and the personal property to his personal representatives.

And there having been no conveyance of any description, as we understand, made to allottees, nor any agreement to grant them any, in what position are they in respect to the property allotted?—I should have great difficulty in advising as to the precise relation in which those persons stand to the property ; the uncertainty and complication in the management of the concern is so great that it is next to impossible to say in what position the parties stand.

Mr. *F. O'Connor*.] Your evidence now with regard to the main question differs *toto cælo* from your evidence given on the previous day?—I am not aware of that.

Have you had your mind refreshed, or have you had any application made to you, or any announcement, as to the description of evidence that you would have to give to-day ; that is, have you had any communication with any gentleman respecting the evidence you would be called upon to give?—I have not seen any member of the Committee since the last occasion of the Committee's meeting.

And you have had no communication?—None, directly or indirectly.

You have been asked as to the investment of the several properties purchased in my name ; you say they are liable to all my debts?—I think that if the property is legally vested in you, it would be liable to your engagements.

That is precisely the same answer we had before, that it was liable to all the depositors in the bank?—Just so, but together with your other creditors.

Then all those estates being liable to my debts and to the depositors in the bank, would it now be competent for me to discharge myself of all liability except personally ; that is, supposing I were to make over those several estates in trust for the purposes for which the money was subscribed, would that discharge me from responsibility with respect to those estates, and make them liable to the parties?—If you executed a declaration of trust, then supposing that the concern were one of which a

Court of Equity would take notice, I presume your declaration would be enforced against you.

A Court of Equity is not, I believe, much in the habit of throwing back an estate to the person who hands it over to trustees, and of saying We will not take it?—I will not venture to speak of what may or may not be the practice of a Court of Equity.

Supposing it were satisfactorily proved to a Court of Equity that monies were subscribed for a certain purpose, that estates were purchased for the purpose of realising the objects for which the money was subscribed, and supposing the person in whose hands the money was deposited, and who purchased the estates, handed those estates over by deed of trust to honourable trustees for the performance of the objects of the trust, would a Court of Equity consider that a good conveyance?—As between you and the trustees to whom you hand over the property, their declaration of trust would be binding; but as to whether a Court of Equity would interfere at all, upon that point I do not presume to offer any opinion whatever. (On the ground that he was not acquainted with the practice of that Court).

Let me put a question for a legal opinion: Suppose that the parties to be located upon the land were selected by lot out of the paid-up members, and suppose that the members who had paid up their shares, and whose location was postponed, received the same amount of interest as is paid to depositors in savings banks till they were located, would the scheme then come under the category of lotteries?—I do not think that the payment of interest would alter the principle, for the ultimate benefit would still be drawn for by lot or chance some time or other.

J. TIDD PRATT, Esq., the Barrister appointed to register Friendly Societies in England in 1828, was next examined. The advantages which arise to societies from being placed under the provisions of the Friendly Societies' Act, are that the rules are binding, and may be legally enforced; that protection is given to the members, their wives and children, in enforcing their just claims, and against any fraudulent dissolution of the society; that the property of the society is vested in the trustee or treasurer for the time being, and the trustee or treasurer may, with respect to property of the society, sue and be sued in his own name. There are certain provisions with respect to the punishment of fraud, and in all cases of dispute they must be settled either by arbitration or by justices. In case of arbitration, the arbitrators are to be persons not directly or indirectly beneficially interested in the society, and their award is declared to be final, and annexed to the Act is a copy of the award to be used in all cases. Another provision and benefit, is the power to invest all funds to any amount in the savings banks; by the Friendly Societies' Acts, the whole property of the society enrolled under those Acts must be invested either in the funds or in the savings banks, or with the Commissioners for the Reduction of the National Debt, or on mortgage of landed

property. Another object gained is, that in case the officer of the society become bankrupt, there is a right to the priority of payment of 20s. in the pound, before any other creditor, on behalf of the Company. And in case of the death of a member, where the sum due does not exceed 20*l.*, the payment may be made without obtaining letters of administration.

Another point is, that members are allowed in all cases to be witnesses, and there is an exemption in certain cases from stamp-duties; but those exemptions are not to the extent that are generally supposed, but are confined to the documents mentioned in 10 Geo. IV, c. 56, s. 37.

He then stated in detail the objects for which such societies may be formed, which we have already given in the evidence of Mr. Lawes. The Bill introduced by Mr. O'Connor, if passed, would not enable him to enrol the Land Company so long as it was connected with the bank, which constituted it a trading society, and so long as it included a provision for allotting land by ballot, which made it a lottery. The second part of the Bill, which was intended to meet the case of the Odd Fellows, would not, he thought, effect that object, because a great number of their rules provide not only for sickness, old age and infirmity, but there was a provision for what is called "tramping," or going from place to place to find work, and there were secret signs and pass-words. He could not certify such a society; but the Odd Fellows might obtain the benefits of the law as it now stands if they would give up the objectionable points he had named. He remembered some years ago having the rules of a similar society to the Land Company submitted to him, and deciding that it did not come within the meaning of the Act, and a gentleman from the Temple who attended for Mr Roberts agreed with him that, as constituted, the society could not be enrolled. He had never had any doubt upon the subject. When Mr Macnamara, the barrister from the Temple, agreed with him in the view he took of the constitution of the society, he did not suggest any alterations which would bring it within the Friendly Societies' Act. He did not consider the society should so much come within that Act as the Benefit Building Society's Act, to which he thought it was more applicable.

Mr O'Connor asked—Do you bear in mind whether you stated to Mr Roberts, subsequently to Mr Macnamara or previously to any parties, that the judgment of Mr Justice Wightman had prevented you from enrolling this society under the Friendly Societies' Acts?

I think not, with respect to this society. I have stated it to other parties who have presented rules, as in the instance of a society where a number of men wanted to erect buildings and sell them. I think it was some men who wanted to erect houses of that class at Pimlico and at Marylebone, and I stated that it was very likely an alteration of the Bill might be made so as to meet that part of the case.

That is not an answer to my question; do you recollect dis-

tinctly the term "*ejusdem generis*" forming any part of the dispute between you and the parties appealing to you, as to the construction put upon those words by Mr. Justice Wightman?—Yes, I recollect it perfectly.

Do you recollect stating to the counsel, that but for the construction put upon the case by Mr. Justice Wightman, this company or society would have come within the provisions of the Friendly Societies' Acts?—No.

I am asking you now to refresh your memory ; I ask you now, whether or not, when the application was made to you by counsel personally, you stated that you had enrolled many societies, which, if Mr. Justice Wightman's judgment had been given before, you would not have considered to have come within the provisions of the Act?—That was with regard to money societies, upon which Mr. Justice Wightman's judgment was given.

I am asking you if you stated that subsequently to Mr. Justice Wightman's construction of the word's "*ejusdem generis*," you did register societies which now, if they were to be applied for, you could not register in consequence of that decision ; is that so?—Yes, if those societies were money societies. It was with respect to certain money societies that Mr. Justice Wightman held the Act did not apply, and I refused to certify.

I ask you again, and will you give a direct answer, yes or no, did you state that in consequence of Mr. Justice Wightman's construction of the term "*ejusdem generis*," you could not register societies, and that you had registered several societies which, if that judgment had been given before, you could not have registered?—My answer is this, that I certainly have stated so, but that was with respect to what were then called money societies.

I want to know this : did the construction put upon those words in the Act of Parliament by Mr. Justice Wightman alter entirely your notion of the Act of Parliament?—My answer is this, that I am quite sure the construction did not apply to your society.

I am asking you a distinct question ; I am asking you now whether or not the construction that was put upon the words "*ejusdem generis*" left an impression upon your mind, that if that opinion had been given before then with regard to societies which you had registered before, you could not have registered afterwards?—No doubt about it ; but then there was not any society similar to the Land Company.

I am asking you with regard to your construction and application of the Act of Parliament ; did Mr Justice Wightman's construction of the words "*ejusdem generis*" alter you in your line of action?—You must allow me to say there was no construction of the words "*ejusdem generis* ;" there are no such words in the Act of Parliament. The Act says that societies may be formed for any other purpose which is not illegal, and Mr Justice Wightman ruled that the words were "*ejusdem generis*," that is, for any other purpose of the same kind as that which had gone before. I will mention another society, a society for workmen

out of employment; three or four of those I had enrolled, but since Mr. Justice Wightman's decision I have refused that and many other societies that I had enrolled before.

"*Ejusdem generis*." It is, then, Mr. Justice Wightman's construction of the term, not in the Act of Parliament, but of the same nature?—Yes.

Now will you be so good as to give me a distinct answer; is it the fact that in consequence of Mr. Justice Wightman's construction of the words "*ejusdem generis*," "or any other purpose," in plain English, your opinion was altered?—The words of the Act are, "for any other purpose which is not illegal," and Mr. Justice Wightman said that the words "for any other purpose" must be read as words "*ejusdem generis*."

Then in consequence of Mr. Wightman's judicial interpretation of those words in the Act of Parliament, did you consider that you were prevented from enrolling societies which, if it had not been for that construction, you would have enrolled?—Yes, certainly; no question about it.

That entirely upset your notion of the Act of Parliament?—Decidedly, as far as those words went, "for any other purpose which is not illegal."

Mr *Monseil*.] There have been no changes in the Friendly Societies' Acts which would enable any society to do anything directly against any part of the statute or common law of the land?—No.

Captain *Pechell*.] I wish to know what objection there would be to making this association legal; that is, what objections do you see to Parliament legislating upon the subject?—My answer would be this, that Parliament can do anything they please; they may make any laws they think proper. But it appears to me that the Act of Parliament ought to be framed *sui generis* to meet this case; and in that case, if such an Act were approved, the Legislature must take upon themselves to legalise a system of lottery, without which it could not be done.

Then there would be no objection to it in a moral or political or social point of view, but only as regards the lottery?—Not if Parliament approved of it; and if they did approve of it, it would, as I said before, require an Act to apply to this particular society.

Are you aware, confining yourself to this case, that many thousand persons in this Company have subscribed for shares, and that they have placed great confidence in the promoters of it?—I have understood so.

That being so, are you of opinion that there is anything that would render it inexpedient for Parliament to pass an Act to legalise such a scheme?—The word "inexpedient" is a very large one. I can only say that, two or three sessions ago, the Rechabites (the Rechabites being another system of Odd Fellows) wanted to be enrolled, and they applied for an Act, and the Bill was going into committee, but the Home Office objected upon the ground that if the society wanted to take the benefit of

the provisions of the Friendly Societies' Acts it could not be brought forward as a public Act, but could only be done by a private Act, or by the society registering itself under the Joint Stock Companies' Act.

Would this society be placed in the same circumstances; that is, would this society require a private Act?—Yes, I should think so.

JOHN REVANS, Esq., was then called in and examined. He was Secretary to the Commission appointed in the years 1833 and 1834 to enquire into the state of the poor previous to the passing of the new Poor Law Act, and upon whose report the old Poor Laws were superseded by that Act. He was subsequently Secretary to the Commission to enquire into the state of the Irish poor, and the report of that Commission led to the passing of the Poor Law for Ireland, and afterwards he was for eight years an Assistant Poor Law Commissioner and had the charge of the Yorkshire Unions. When Lord Melbourne's government went out of office, the Assistant Commissioners were reduced from eighteen to twelve, and he was one of the six who left. During his administration of the Poor Laws, he paid great attention to the cultivation of land, both in England and Ireland; and after leaving the Commission, he bought a small property in Jersey which he farmed during five years, attending daily to it, having been always exceedingly fond of farming matters. It was still farmed for him; during his residence he made himself fully acquainted with farming, large and small. He was at present employed under the Poor Law Board to enquire into the operation of the present laws of settlement in this country; and about the end of March, and before the appointment of that Committee was thought of, he received instructions to go over the various estates which had been purchased by the Land Company, and ascertain to what extent fresh settlements could be obtained in the parishes in which these various estates were situated, and what might be the effect on the poor's rates of any sudden amount of the population lately introduced being thrown upon the poor's rates of small agricultural parishes. In accordance with these instructions, he visited the estates, and reported the result of his observations to the Poor Law Board.

Mr. Revans is a decided partisan of the large farm system, and an advocate of the superiority of the plough and agricultural machines over spade and manual labour; the very strong bias of his mind upon this point distinctively colours the whole of his lengthened evidence as to the practicability of the plans of the Company. In his Report to the Poor Law Board, he quoted a letter of Mr. O'Connor's, showing the advantages of the small-farm system, and gave what he evidently considered an elaborate and conclusive reply to what he considered the fallacies of that letter. As Mr. Revans's reply contains the essence of his evidence, we give it, as presenting his side of the question, and leave the reader to judge of the value of Mr. Revans's *theory*, as contrasted with the *practice* of Mr. Sillett, the next witness:—

“To those who know anything of the ordinary produce from land and stock in this country, by the ordinary course of farming, it must be evident that the results contemplated by the above statement (Mr. O'Connor's Letter showing “What may be done with Three Acres of Land”*) are most excessive, even under any of the ordinary rotations ; and still more excessive when considered in reference to the exhausting nature of the cropping proposed.

“Of potatoes, the produce promised is 15 tons, and upon one-third of the farm, each portion following in triennial rotation. The average growth of England is under eight tons ; and yet potatoes in England are rarely grown upon inferior soils, for a farmer in this country, holding 200 acres of land, does not often grow more than five acres of potatoes. For these five he is able to select from the best land of his farm, and to them, being only about one-fortieth of his occupation, he is able to allow an unusual quantity of manure. Reference is made in the statement to some remarks in the “Leeds Mercury,” in which 15 tons of potatoes were stated to be a fair crop. But it must be borne in mind, that the crops gained around the numerous towns and town-like villages in the West Riding of Yorkshire, are mainly attributable to the immense quantities of manure supplied by those towns and villages. From the results in the immediate neighbourhood of large towns, no experience can therefore be applicable to the country generally ; any more than the weight of produce obtained in the market-grounds of Battersea and Fulham, which are a mass of manure, is any evidence of the weight to be had from land on the Sussex Downs.

“Of wheat the produce promised is 200 stones ; which, at 14lbs. to the stone, is 2,800lbs. at 56lbs. to the bushel, equal to six quarters to the acre. The average produce of England is considered to be three quarters, and that under rotations which never introduce wheat more than once in four years. According to the statement, it is to be grown on the same land once in three years.

“Two cows are to be maintained upon two roods and a half of ground, according to the statement. It must be an acre of excellent pasture to keep a cow during the six summer months, and during the six winter months a cow will consume, in hay and roots, the produce of more than another acre, if she is to yield an abundance of milk. And the milking condition of the cows contemplated on the allotments must be very excellent, as they are to yield two gallons each during every one of the 365 days of the year. Now, as most cows are dry two months, and many during three months before calving, a cow to give two gallons a day throughout the year, must average ten quarts during the period she does give milk ; she must exceed, then, in quantity, the average of the largest town dairies in which the most remarkable milkers, costing 20*l.* to 25*l.* each, are collected and fed upon the most yielding food—brewer's grains. That the yield

* This letter is published and sold at the office of the National Land Company, 144, High Holborn.

expected from each cow must be quite unusual, is evident from the annual return expected, viz. 18*l.* 5*s.* from each cow, without including the value of the calf, or allowing anything for the value of the manure.

"If such high feeding, and such excellent animals are necessary to such results, I do not know how they can be expected from Mr. Cobbett's plan, to which special reference, as a great authority, has been made in the above statement. Mr. Cobbett's plan will be found in his 'Cottage Economy,' under the head 'Keeping Cows;' he there says that a small cow to cost about 8*l.* may be kept in the way he proposes, and upon a rood of ground; the way proposed is by transplanting cabbages for summer food, and Swede turnips for winter food; to accomplish which, the most rigid economy of time and space are required. Unfortunately every one who has tried Mr. Cobbett's plan of agriculture, has found that his calculations are not to be relied upon. Though an able observer, he was a remarkably bad calculator. The number of plants at the distances apart named by him, can seldom be placed on the space of ground he proposes; and the average weight of the crop stated by him, is usually attained only by one or two plants; moreover, as to the feeding of a cow on a rood of ground, Mr. Cobbett has overlooked the fact, that a cow fed upon cabbages alone, would be dead of diarrhœa before six months, and that fed upon Swede turnips only, she would soon cease to yield milk. A cow must have hay daily with such food, not less than 15 pounds of hay a day, which is about three tons a year. The above statement only allows one ton, and that only for the winter four months.

"On the expected profits from dairying, another circumstance, and that a very important one, has been overlooked; cows fed upon Swedes and upon cabbages impart a most disagreeable flavour to their milk and butter, a flavour which no cleanliness or contrivance can entirely eradicate; and even if they could, the cottage dairy, with its want of convenience, its proximity to the sty and the cow-house, and to the other sources of effluvia, is always unfavourable to delicate production, and consequently to high price. It may be supposed that time will correct some of these difficulties, and so it may; but during that time ruin may be ensured. There is one thing, however, connected with the subject, which time cannot correct. Every one who knows any thing of dairying, is aware that it is the most difficult business of the farm, and is aware that the hands of many women are not fit for making up butter, and hence that the butter of the cottage is almost always inferior to that of the large dairy, in which separate and well-constructed buildings, and a division of duties are possible. Considering then the difficulties, of obtaining good animals, and of keeping them in high milking power, and also of the business of dairying, I am certain that 8*l.* a year for each animal, instead of 18*l.* 5*s.*, is a very fair average yield for cottagers' cows.

"As regards the other produce, the statement holds out that clover sown with flax will be fit to cut one month after the flax

has been pulled. The statement does not name the weight of clover expected, but it rarely happens that clover in England will, the year it is sown, yield more than a bite for a few lambs, and then not till in the autumn."

Mr. Revans then says that the land and the facilities for procuring manure are not of such a superior character as to warrant expectations exceeding even the largest results, and thus concludes his report:—"From what I have been able to learn, I do not think that there is any reason to expect that the occupiers of the Land Company's farms will obtain more from the land than the ordinary farmers do under the customary mode of cultivation; I doubt whether they will obtain as much. Still, most of the occupiers will remain sufficiently long to acquire a settlement. Three-fourths of those at Herringsgate have already gained settlements in the parish; they have occupied a year, resided forty days, and they must have paid poor's-rates, for I was informed they had taken part in the parish meetings. Few, however, will be able to remain much longer than a twelvemonth, unless possessed of means independent of the produce of their allotments. Many of those who have already gained a settlement at Herringsgate must leave before harvest, unless they are supplied with more money by the company; for they have no wheat, nor any other food. They buy bread; for, being the residents of large towns, their wives do not know how to bake. Some will, no doubt, soon claim relief from the parish of their adoption. At Redmarley, as early as last winter, one of the occupants had already applied to the Union for medical relief, although the estate had only been occupied since the August preceding. I fear there is every reason to expect a regular succession of occupiers, and thus a regular increase of the settled poor of the several parishes in which the locations exist. Though few will be able to struggle on under such a system for much more than twelve months, yet the pleasurable notions entertained by people in large towns of a rural life, will always be sufficiently enticing to provide a succession of occupants; for those who have only visited the country during haymaking and harvest, and then only on a fine day, and have been regaled on fruit and new milk, fancy the farmer's life one of unalloyed pleasure.

"The errors existing in the calculations put forth in the statement must, I think, have been caused by the English acre having been confounded with the Irish acre, the Irish being three-fifths larger than the English; though even then, no allowance will have been made for the occasional failure of crops, the loss of a cow, or a pig, or for any of those many untoward events which belong to the occupation of a farmer; and the supposition gives the labourer an increased quantity of land to work with his spade. That there must be some great mistake, is evident from the fact, that 44*l.* is estimated as the surplus from three acres, above all expenses and the cost of maintaining the labourer's family in a most superior manner. Now, as 7*l.* 10*s.* is the capital allowed,

it gives 22*l.* 10*s.* for three acres ; upon which 44*l.* will be a clear profit of 200 per cent. per annum, upon farming capital. It is difficult to conceive why such superior results should be expected from spade husbandry. Many no doubt have confused the advantages of deep cultivation with the superior allowance of manure usually given in this country with spade labour. The results of the gentleman's garden and the cottage allotment have led to the error. The gentleman's gardener is unrestricted as to the quantity of manure, and never has three acres to his unassisted spade. The cottage allotments rarely exceed a quarter of an acre, and are confined to the few labourers employed on the neighbouring farms. The families of the farm labourers devote their whole time to scraping together the manure dropped on the roads, and which though sufficient for two or three acres, would be quite useless on two or three hundred. So far as deep tillage is implied, the present agricultural field machinery gives the advantage. By the use of the sub-soil plough, the earth can be stirred to a depth equal to trenching three spades deep. As far as surface tilth is concerned, the various cultivators, such as Earl Ducie and others of a similar class, will stir the earth much more deeply and much more perfectly than the fork. Any attempt to draw an inference applicable to this country from the existence of a large body of small occupiers in Ireland will lead to great error. The position of the two countries being so different, many circumstances peculiar to Ireland during centuries has brought about the difference, which is, that there are not any tillage farmers in Ireland possessed of great skill, excellent implements, superior stock and large capital, for the small occupant to compete against. Each in Ireland does with the land as much as any of his neighbours has the power of doing. A gentleman who had for many years farmed 600 acres of his estate in Suffolk, and had been employed by the Poor Inquiry Commission in Ireland, told me, that English farmers with their skill and capital could easily pay the rents promised by the tenantry on the little tillage farms in Ireland, which rents the tenantry, though living upon the meanest fare, were quite unable to pay ; this in other words meant, that the machinery and division of labour possible on a large farm rendered production more cheap than it could be on a small one. If such be the fact, how hopeless must be the attempt of the cultivator of a few acres with the spade in this country, who must compete with the largest agricultural capitals in the world, against the most perfect field machinery, daily, I might almost say hourly, increasing in perfection, and against homestead machinery which is all but self-acting. It is as hopeless as the attempt of the hand-loom weaver to compete with the power-loom, or the knitting needles to compete with the stocking frame.

“The larger the farm, the more perfect the machinery, and the more extensive the capital, the more profitably the farmer employs manual labour, but he requires it of a more skilful sort ; he requires men to manage drills, horse-hoes, dibbling machines,

and other delicate machinery. He requires men whose steadiness and knowledge can be relied upon for the charge of large flocks. This effect has been remarkable in the southern counties during late years. When I was on the English Poor Law Inquiry, 15 years ago, labour in the southern counties was declared redundant ; I find on my present inquiry into the effects of the 'Settlement Laws,' that the people are all employed, that there are none too many in those counties ; and yet I find that the population is generally 10 to 15 per cent. larger than it was at the former period, and that no other employment has been added to that of agriculture in the different districts of which I speak ; and that wages are rather higher ; and yet the introduction of improved field machinery is daily increasing.

"The only advantage which appears to me to attach to the occupiers under the Land Company over the farmers generally of this country, is fixity of tenure. Each is to have a lease ; under a lease they can prudently improve the land in a manner in which it would be imprudent in the tenant-at-will to improve it. The tenant-at-will must keep his capital in machinery which can be moved, and in his stock ; and only cultivate his farm each year, so as to draw from the land at the end of the year, when he may be compelled to leave it, all that he put into it at the beginning. He cannot improve buildings, place fixed machinery, nor do anything to the land which will not be repaid in one year.

"It does appear to me that the plan of buying large farms, and dividing them into three and four-acre allotments, to be cultivated by the spade by artizans and weavers from the manufacturing towns, is about as hopeful as would be a scheme for buying large power-loom factories, pulling down the steam machinery, and appropriating each of the looms to be worked by a farm labourer. And I have no doubt that the agricultural labourer at a loom would be as successful a rival to the great power-loom manufacturers, as will the weaver with his cottage farm to the agricultural capitalist with his excellent machinery.

"If the expectations held out in the statement of the Company could be only partially realized, and the occupants become the purchasers of their farms, which is, I think, next to impossible, then it is needless to remark that the great danger to the other proprietors from a sudden increase of the poor's rates, would be at an end. That such is the expectation of the Company is evident ; for the statement announces the possibility of an occupier saving sufficient to buy his allotment in four years, when the proceeds are to be used for purchasing other estates, and thus locating additional members, until by successive repayments and repurchases the whole of the 100,000 members of the Land Company, or such of them as shall have paid 3*l*. 18*s*., shall be possessed of cottages and of farms, varying from two to four acres each.

"From what I have here stated I think it may fairly be concluded—

"That all those who occupy the Land Company's allotments,

with nothing more than the produce of their allotments to depend upon, will fail to obtain a living.

"That most of those who do occupy will continue in possession sufficiently long to acquire a settlement.

"And consequently—

"That the operations of the Land Company are likely to lead to serious and sudden burthens upon the poor's rates of those parishes in which they acquire land."

The extraordinary and decided statements in this Report evidently excited the surprise of Mr. Sharman Crawford, Mr. Monsell, and the other members of the Committee practically acquainted with agricultural matters, and a very protracted cross-examination ensued, in which Mr. Revans confidently repeated his assertions, and ignored the possibility of the advocates of the small farm system being right. What he had said was given from experience all over the country, and he could not be wrong. He was decidedly of opinion that it was not possible for a man to pay 15*l.* a-year rent for a house, three acres of land, and improvements upon the land, however good that land might naturally be. It was utterly impossible, from what he had seen of it. *He did not believe it possible for any man to get a living, though they were the three best acres of the whole country ; and that was not only his opinion, but the opinion of those who had tried spade labour pretty closely. No one, having no other means whatever, can get a living and pay the rent by the spade.* The operations of the land company, in his opinion, might pauperise the district in which they were carried on, but they were not dangerous to the country generally, because he thought they had a self-destroying power, and could never go on to any very great extent ; they would produce a succession of paupers who would swallow up the rental, and when they did that of course there would be no means of supporting the paupers, and the thing must come to a stand still. It was self-destroying. On this Lord Ingestre asked questions, to which Mr. Revans replied : A person having four acres, one of which was capable of producing 60 bushels of wheat, had a chance of living and paying his rent—that would give eight quarters to the acre. If a man had been offered 96*l.* for the produce of an acre, he would, unquestionably, have a chance of living. Even if half of that were stated there would be no chance of these parties being driven as paupers on the parish ; wherever 40*l.* could be got as the produce of an acre, a man might pay the ordinary rent of that land. But taking 30 bushels an acre, or under four quarters, and other crops in proportion, and an allotment of three acres, the man must come upon the parish. The allotment crops all over the country were invariably very inferior indeed to the ordinary farm crops immediately around, and that was the case with the crops on the estates of the Land Company at the time he saw them ; and although the allottees might form a better judgment after having had three months more experience than when he spoke to them, he doubted whether they were likely

to come to a very correct conclusion. Mr. Revans was again examined on the 12th day of July, when the Committee resumed its sittings ; in the interim, however, he had felt it necessary to go down and take a look at the crops at Lowbands, which he had described as being inferior to the ordinary crops in the early part of the season. He appears, however, to have done so very cursorily ; in fact, he admitted that he looked at the crops of one allotment only, and that he took a look at a part of the others by standing up in the carriage as he was driven along, but he stated that that was quite enough to any one acquainted with agriculture. From the examination he had made, he did not believe that the best acre of wheat at Lowbands would reach five quarters an acre, he did not believe it would reach four and a half, which, at 50s. a quarter, would give 11*l*. 5s. an acre. Supposing it was put at five quarters, it would give 12*l*. 10s., that was the most. The witness enforced his views by the following novel description of the agriculture of Jersey, and the effects of a minute subdivision of the soil and the small farm system in that island. It is so contrary to that usually given by other writers on the subject, and altogether so extraordinary a statement, that we present it in full, omitting the questions, and condensing it into a narrative form :—"I would make this remark upon the point of realising five quarters of wheat to an acre. I have been living for five years in Jersey, and farming there ; and I have known and thought and cared for nothing else. The land there is beautiful land. It is deep, rich hazel loam, which is the best of all land. I have had a hole dug down in some of it, as deep as you can stand in, and there is no difference from top to bottom. There is not such land, I believe, in the rest of the world as in Jersey ; there is nothing like it in this country ; besides which, Jersey has a remarkably growing climate ; an acre of any land out of England put into Jersey would be worth 1*l*. an acre more for the sake of the climate. The island is never long without moisture, and never has much cold. In England sometimes, when the wheat is setting or flowering, you get a frost which nips it and stops the whole process. We never have frost in Jersey after the end of March. In that island it is not a very uncommon thing to say that there are six quarters to the acre, though I do not believe it often happens. In England, now and then, six quarters are grown under extraordinary advantages, but I believe very rarely indeed. Then it comes to this, that I am accustomed to see crops, year after year, and field after field, of wheat standing before my eyes upon which it is said there are six quarters, and I tell you there is no six quarters standing upon any field of wheat in England this year that I have seen yet. In the same way, with respect to potatoes, I must go back to show that I am something like a judge, and that I ought to have something like an eye for a large crop. In Mr. O'Connor's letter, upon three acres of land he states 15 tons to be a moderate crop of potatoes. In Jersey, and I refer to that island because it is a remarkable potato climate and potato soil, and we have always a great extent of

potatoes, we consider it to be a very good crop, a very fine crop, to get 15 tons to an acre; I do not believe they often get more than 12. Every fourth year every bit of land in Jersey is under potatoes; therefore one-fourth of the whole island is now under potatoes. Then you may suppose that my eye must be tolerably familiar with a good crop of potatoes; there is not 12 tons upon any portion of the land at Lowbands, and that quantity will never be reached there."—Having lived in Jersey five years, he was very well acquainted with the agriculture of the Channel Islands, and he could not assent to either of the propositions that the population were generally very prosperous or the poor-rates very small. The Channel Islands' people are almost invariably the owners of the property they occupy; that is, they are not tenant farmers at all, but the possessors of the fee. The average farms in Jersey run somewhere about eight acres. The farms are smaller in Guernsey, the land inferior, and the climate is worse than in Jersey; therefore if I take the position of Jersey, Guernsey must be worse. The farms are about eight acres, taking the average of the island. The mode of living of the people is of the most inferior description. They live principally upon potatoes with a little milk, when they have milk to take with them; and they have some wheaten bread, very good wheaten bread; and they have an advantage from being all fishermen; they get a great deal of common fish. I have often observed that the majority of the people do not live as well as my labourers who have 2s. a day; they are not so well fed; they are not so well kept, take them all through. Yet with all that they are poor, and have no money left; although they have the fee of eight acres of ground; and there is not an acre of ground in Jersey that you could rent under 5*l.*, and much of it not under 7*l.* and 8*l.* A man who, if he let his property, would get 40*l.* a-year, does not live at the rate of 2s. a week, and does not save. Eight out of ten do not owe a shilling to any one in the world. Small operations, whether in farming, in manufacturing, or in any other way, are always done to an immense disadvantage. The ordinary way in which a man who is anxious to get possession of land in Jersey gets it, is by purchase. The usual way is this: a man makes a contract with another, as it is called; a preliminary contract; if nothing is agreed as to the amount of money, and any dispute afterwards arises, the Court orders that one-fourth shall be paid in money and three-fourths stand upon mortgage. The value of this land is about 150*l.* an acre; and one-fourth of it is paid down; in most cases they pay the whole. In cases where they do not pay the whole, if there is no special agreement, the Court orders one-fourth to be paid down and three-fourths to remain on mortgage. The interest upon that mortgage is five per cent. And that is paid by the occupier of the soil. The occupier of the soil, having purchased the farm, and having paid one-fourth, and having the interest on the mortgage to pay, does not live merely upon the produce of the farm; they have all other means of living; there is not one

in ten of them that is in debt, or owes on mortgage ; almost all their properties have been handed down from father to son for generations ; and where that is not the case, men make money at sea ; the forefather has gone ; and there is scarcely a Jerseyman who has not been in the Newfoundland fisheries ; to go there is as invariable as going to school. They make money in fishing at Newfoundland or at home, and by various occupations which are open to them, and with any bit of money that they get they buy a little mortgage, which is a transferable divisible mortgage ; they are always saving their money, and with it they buy a small farm. Mostly they are the owners of those farms ; there are very few instances to the contrary. When a Jerseyman is rich enough to leave the sea, he can generally purchase a few acres of land. Although they do live badly after having got the farm, still they are exceedingly anxious to get possession of a farm. There is nothing for them but the getting of land or going to sea. The general course of the Jerseyman's life, and I believe of the Guernseyman's too, is to start off for Newfoundland ; he looks to coming home, and buying a bit of land, and settling, and going on as his fathers did before him. They change but little, their implements are what they were 700 years ago. The plough they have now is the old Saxon plough which was brought into England 700 years since. Therefore they did not farm to the very best advantage. The size of their farms is a stop to improvement. The slightest loss from a change of system would be sufficient to involve the whole of a year's profits. If they did they could live better. The soil, the climate, and everything is in their favour, but their knowledge of farming is as bad as it can be. The amount they pay for the land is very high ; 7*l.* 10*s.* as rent. They are all fishermen ; many go out in the oyster fishing, which is a very extensive employment. Many make a great deal of money in the year at it, which helps the two and three acre farmer to subsist. There are instances of occupiers of small farms in Jersey who do subsist without the assistance of oyster fishing, with eight acres of land free, which they could actually let at 40*l.* a year. There are some cases of the kind, perhaps one in twenty ; and then they live in a very wretched way indeed ; they are more than frugal people ; I have always said of a Jerseyman, "Give him nothing to live upon, and he will save something out of it."

They lived upon potatoes and milk and wheaten bread, which was an insufficient food for the sustenance of a man. Meat ought to be added to any man who was to do really good work. The condition he described was that of people working on their own land in Jersey, not labourers in other respects. They were very well clothed on Sundays, on other days many were clothed in all the colours of the rainbow, with patches from head to foot ; their houses were fine-looking houses outside, but miserable and dirty within. De Mosne was a Jerseyman by his name, but he had never read his work on the Channel Islands. If, however, it varied from what he had stated, it was incorrect.

The witness then underwent a long cross-examination as to the quantity and value of the crops at Lowbands. He did not hold his former opinion, that they were inferior to the crops of the farmers about them; they were equal, but not more than equal. He estimated Lee's crop, the one he particularly examined, at decidedly under 40 bushels an acre; and if all the practical farmers in the neighbourhood estimated it at from 48 to 60 bushels, he should say that they were wrong, and that any man was mistaken who thought there were 50 bushels an acre on any land there. He was sure that the persons at Lowbands, and at other allotments he had visited, would, every one of them, be in that state that they would have to go into the workhouse in two years, and the overseer of the parish would be entitled to sell their furniture, their agricultural implements, and cattle, to re-imburse the parish for the expense of maintaining them in the workhouse. That would be the case even if a man purchased any of these allotments, and came there with capital. On a complete farm the largest expenditure was in the purchase of stock, that on labour was very little, not more than two men to 100 acres. He could not tell how many agricultural labourers there were in England, nor how many acres of land there were under cultivation. [Mr. O'Connor said that, taking the calculation of two men to every 100 acres, it would only give 600,000 labourers for the whole country.] With respect to his statement, that there had been an increase of work for field labourers in consequence of the increase of machinery, there must be some error in the estimate, which stated, that, since the year 1839, up to 1847, there had been a diminution of 289,000 agricultural labourers. As to the incapacity of people coming from towns to manage land, a town-bred labourer was always a more intelligent man, and the man who had never been bred a farmer would generally make the best farmer, but there must be time for it. In the long run, a man bred in the town, and particularly when he has a knowledge of machinery, will become a much more valuable farmer than a man who has been bred to farming; he is without the prejudices of early education; those who are bred to an occupation rarely improve it. If he asked in any neighbourhood who is your best farmer, he invariably found that a man who had been bred up to trade, and who had taken to farming, was the best farmer. Wherever a man was farming his own land it was much better farmed, he would expend more labour upon it, and be more careful of it, and be wise in doing so. But, notwithstanding all these admissions, he still retained his opinion that a man with only three acres could not maintain himself and family and pay rent. He must become a pauper, and the scheme a failure.

The Committee sat again on July 14, when a witness was produced who, from practical experience, conclusively proved the utter fallacy of the dogmatic assertions and confident predictions of the great Poor Law authority.

Mr. JOHN SILLETT, of Kelsall, near Saxmundham, Suffolk,

was examined: He had been apprenticed to the general trade of grocer and draper, as usual in country towns, and for some time carried on these businesses on his own account at Yoxford, Suffolk. About six or seven years since, however, having always been very fond of agricultural pursuits, he purchased two acres of land, for which he paid 236*l.*—the legal expenses of conveyance were 14*l.*—making the total cost of the two acres 250*l.*; *there was no house upon the land*, nor did he at present reside upon it. His house, which was also his own, was in the village, and nearly half a mile distant from his land. His situation would certainly be more advantageous if his house was in the centre of his land. He followed his business for some time after he purchased the land, but having tried the experiment to see what he could do with it, and finding he was getting on better than he expected, he entirely relinquished trade, and for the last five years had given his sole attention to the land. When he bought the land, it was all in old pasture, and he broke it up by degrees, some in one year, some in another, till he had now got an acre and a half under cultivation and half an acre in pasture, so that the whole of his land was not yet cultivated. He had done all the labour himself, never having had assistance from anybody. His family consisted of a wife and two girls, the eldest between 16 and 17, and the other just turned 12. Occasionally they had assisted him in very trifling matters, but all the labour he had done himself. *He had clothed and supported himself and family exclusively out of the two acres*, and had kept an account of receipts and expenditure, in which he showed the profits of his farm, after providing for the consumption and clothing of the family. It was in the press, and would shortly be published. He made it a point to live exclusively upon the produce of his farm; they had milk of a morning, meat and vegetables for dinner, and milk at night; he made it a point always to have meat and vegetables for dinner. He considered he lived as well as a farmer as he did when he was a grocer and draper, though in a different way, as wholesomely, and much better for his health, he considered. In business he had very indifferent health indeed; he had much better health since he was on the land, and it was the same with his family. His system of farming was to grow root-crops—potatoes, mangel-wurzel, cabbages, and beans; the only corn-crop he grew was wheat. With respect to stock, for four years he had kept two cows, and generally two pigs, but he was this year making an experiment with swine, of which he had seventeen, and a sow; he was making that experiment for the profits. He took the difference between the manure of pigs and the manure of cows into the calculation, as he considered the former the best. When he kept the two cows and the two pigs he reared calves up to seven weeks old; he reared the last this year; he reared one and fattened one. The hours he worked on the land depended on the season of the year: when busy, he worked from six in the morning till six in the evening; at other times, not so long. He cultivated entirely by the spade, he had no faith in the

plough ; he knew it was not so well for the land ; his land improved annually under spade culture. The implement he used was a three-pronged fork, fourteen inches long, and he dug for every crop. If any one wished to judge of the results of spade and plough culture, they had only to look at his crop of wheat and that of his neighbour over the hedge that joined his field ; he should say that field did not contain more than half of his crop—he meant the average per acre. He measured his crop in bushels, and his last year's wheat produced him sixteen bushels on a quarter of an acre. It was dibbled in rows eight inches apart, and then dropped by hand by boys or girls. Each plant in the row was, as near as he could judge, about six inches apart. He did not recollect exactly what quantity of seed he sowed to the quarter of an acre, but he sowed it very thin. He kept the wheat for the consumption of his family. His system of farming had been taken entirely from experience and study. His potatoes he planted whole, and had grown as much as three bushels a square perch. A bushel of potatoes weighed about seventy-two pounds. In Suffolk, they calculated a sack to weigh fourteen stone ; they are always sold by the sack ; when he sold a bushel he always heaped it. He had sold vegetables as well ; cabbages were what he generally grew on a large scale, as he found them most profitable ; when he got a full crop of them he got more money than by any other crop ; the price he made of them was a halfpenny a head wholesale to the market people, who came with carts ; he sent none to Saxmundham, a small market-town one mile off ; he sold them wholesale. He grew beans between the potatoes. Good land ought to produce the crops he had stated. It was not at all an unusual thing to get three bushels of potatoes from a rod, which would give 480 bushels per acre. By his method he had produced that. He should certainly not be satisfied with six bushels of wheat from a quarter of an acre instead of sixteen." In answer to Mr. S. Crawford, the witness described his system as follows :—In growing potatoes, he put between every third row a double row of beans, without allowing any extra room for the potatoes, and he found in that way he got an excellent crop of beans. Judges, who had seen his crop this year, calculated that he would have as many beans as though the ground were covered, and that it would not injure the potatoes, which were planted from six to seven inches deep, and not earthed up, in consequence of growing the beans. He proved last year that he had as many potatoes as though he had not planted the beans. If land was in heart, and thorough good land, it would produce both. As to there being no end of produce, in that case he could only say what he had proved by his experiments. Instead of growing two crops, he had made the ground produce three in the year, by transplanting. He raised the Swede turnips just the same as the cabbage plants, and when the potatoes came off he dug the land and transplanted them the same as the cabbages. He never sowed any peas, they shaded the potatoes too much. He put his turnips at the same distance as his potatoes, the rows

twenty inches apart, and the plants twelve inches apart. He had never used any food for his stock that was not grown on the farm, nor had he ever purchased any manure. He had found that he always made plenty by keeping his stock stall-fed. His produce of potatoes, if measured by bushels, amounted to fifteen tons eight cwt. and eight pounds to the acre, and if instead of three bushels to the rod he could only get one and a half, he would never grow potatoes any more. With respect to the profits on his stock, and especially the produce of his cows, Mr. Revans having stated in his examination that 8% a year would be the whole produce if it was all sold, and none consumed at home, Mr Sillett said he would not keep such a cow, nor would he keep a man who made such an average. After supplying his own family with milk, he calculated that his two cows produced him 29% profit in the year over his own consumption. He sold it nearly all in milk, and made very little butter. He did not send out his milk. The people came for it. He left the calculation of the profits to his wife, who sold the milk, kept the account, and paid him the money, and when he said 29% he could not have made much of a mistake in that. He sold his milk at 2d. a quart. He never measured the milk the cows gave when they were flush of milk, but the average they would give in a day the first three or four months would be from two to three gallons a meal. He milked them only morning and night, and had never tried milking them three times a day. He supposed that his own family would consume about a quart of milk a day. The produce of a cow for the whole year would be for three months five gallons a day, the next month it would fall perhaps a gallon, and then probably it would decrease gradually, perhaps half-a-gallon, and then he should suppose from the time of her being dry there would be about a gallon a meal in the worst time. He had estimated, in the profits he had given, the cow to give every day two quarts and a pint a meal, or five quarts a day, which, sold at 2d. a quart, would be 10d. a day, or 15% 7s. 6d. a year. The 29% profit he had mentioned did not include anything from the sale of calves, but was entirely from the sale of milk, besides what was consumed in the family. The milk was sold at the same price winter and summer. As to his pigs, he reared them himself. He was now feeding them with the tops of the beans, which he had got in great quantity, and with the leaves of the mangel-wurzel. When he fattened them he fed them on boiled potatoes, and then, to finish them off, for the last week or two he bought a little barley-meal. He only gave the store pigs potatoes, and found the others thrive upon the bean tops and mangel-wurzel leaves, together with cabbages, which he gave them raw. He gave the sow some better feeding when she was suckling, and he thought his seventeen pigs and sow would produce him as much profit as his two cows and his two pigs had done. He had been told by many intelligent people that a breeding sow would produce as much profit as a cow, and if it did it would save labour and

trouble. The general result of his farming as shown by his accounts was, that on the two acres thus farmed, after providing for the living and the clothing of his family, he had sold 74*l.* worth of produce last year; and if he calculated his expenses as though he was renting land and house besides paying the taxes the result would be 12*l.* 10*s.* for the rent of the two acres at 25*l.*, 8*l.* for the rent of the house, and 2*l.* for taxes, making 23*l.* for rent and taxes, and leaving a clear profit on the two acres of 51*l.* 10*s.* a year, and if another man was as industrious as he was, he did not see why he should not come to the same result: As to the knowledge and experience of a gentleman, a professional farmer, who said that no labouring man could keep and support his family upon the produce of the best three acres in England, paying neither rent nor taxes, he could only say that he had done this upon two acres of a nice mixed soil. He had lived for the last five years off that land, and he could give any references that might be required to some of the most respectable people living in the neighbourhood. The clergyman of the village often came and looked over his land. His land was much better now than when he bought it. If any gentleman said he would have larger crops if the land were ploughed, he should presume that he had never tried the spade at all. If a neighbouring farmer came and offered to plough his land for nothing, he would not allow him to do so.—The value attached by the witness to his land and his present vocation will be seen by the following questions and replies, with which we shall conclude.

After five years' close application and experience, and after seven years being employed partially in both business and agricultural pursuits, what amount of money, to be paid weekly, would you take to abandon your two acres, and not get any more land, and go back to your former business; that is, what weekly salary would you take for your land?—If I gave up my land I should want a competency.

What salary, per week, would you now accept to give up the land altogether?—I would not accept, I might say, scarcely any salary to leave my land to go to business, as I very much prefer the land.

What would you accept as weekly wages to give it up?—Upon my word I can scarcely say.

I say to go back to your old business as a draper and grocer, what amount of profit, not putting it as a question of wages, would you be satisfied to be insured to make a profit of your labour as a draper and grocer to give up the land?—I should not be willing to accept less than 3*l.* a week.

Would you take 3*l.* a week to-morrow and leave the land altogether?—No.

You would not?—Certainly not.

That is after five years' experience?—Yes.

MICHAEL SULLIVAN, Esq., a member of the Committee, was next examined. He had visited the estates of Snigg's End and Lowbands on the previous Saturday. He visited and conversed with nearly one-half of the allottees at Lowbands. He examined the crops, went into the houses, into the bed-rooms and kitchens and piggeries, and saw every appointment in connection with the houses for effectually carrying out the management of the farms. He examined the crops minutely. He was particularly observant of all the crops as he went along from London to Gloucester, as far as a railroad view gave an opportunity of judging, and observed the crops of wheat to be particularly light, and upon an inspection of the crops at Lowbands, the average crops of wheat were decidedly the best he had seen in journeying from London or in the neighbourhood round about. There were a few fields of neighbouring farmers that came up to the average crops of Lowbands; but that was not the case generally speaking. The wheat was a prime crop; the potatoes looked in many instances very good, in others not quite so good, and he should say, taking the whole estate altogether, that there is an enormous amount of produce of every description upon the Lowbands estates; the houses were of a very superior character, in his opinion, probably a little too much so; they were, in fact, too good for a four-acre farm. He saw the gates that had been put up at different places, and went into the school-houses. All the work that he examined was performed in the most permanent and complete manner. He was very curious to ascertain how parties brought from all directions of the country, entirely unacquainted with agricultural pursuits, located in a place like that, could be content, and how far they would be able to carry on these agricultural pursuits. He was particularly struck with one old man who had been a cotton overseer. He appeared to be as fully acquainted with agricultural pursuits, and to have all his farm in as complete a system of cropping, as if he had been there for many years. He did not know the names of the parties. He merely inquired their trades and occupations. He found a frame-knitter, a tallow-chandler, a stocking-maker, a cabinet-maker, a shoemaker, and a cotton-spinner—in fact, almost every description of trade, but not one agricultural labourer, they had all been tradesmen. The majority were turning their attention to the feeding of pigs, as being more profitable than that of cows.

FEARGUS O'CONNOR, Esq., a member of the Committee, expressed a wish to make a statement to the Committee with reference to the accounts, which being acceded to, he presented the subjoined statement:—

COST OF HOUSE.			£	s.	d.
Timber, slate, tiles, laths	-	-	43	-	-
Masons' and bricklayers' work	-	-	44	-	-
Chimney-pieces and hearthstones	-	-	1	15	-
Carpenters' work	-	-	13	10	-
Painting	-	-	2	5	-
Plastering, slating, and setting ranges and sleepers	-	-	6	-	-
Stoves and ranges	-	-	2	15	-
Chimney-pots	-	-	-	7	6
Nails and ironmongery	-	-	1	10	-
Glass and glazing	-	-	-	10	-
Plinth for foundations	-	-	2	5	-
Stuccoing outside	-	-	2	-	-
Digging foundation and filling in floors	-	-	-	15	0
Sinking and steining well, putting in pump with lead pipe, and lead for vallies of houses	-	-	7	-	-
Iron spouting, with shoots and elbows	-	-	2	-	-
Bricks for setting grates and partitions	-	-	2	-	-
			<hr/> £131 12 6 <hr/>		

250 houses, at 131l.	-	-	-	£32,750	-	-
Four schoolhouses	-	-	-	2,000	-	-
Roads	-	-	-	2,000	-	-
Aid-money and loans	-	-	-	6,525	-	-
Horses, harness, and implements	-	-	-	4,000	-	-
Excess of 18 houses at O'Connorville	-	-	-	1,500	-	-
Expense of seed, &c.	-	-	-	3,000	-	-
Work done at Bomford's	-	-	-	1,150	-	-
Surveyor, land agent, interest on mortgage, property-tax, tithes, rates, taxes, and in- surance	-	-	-	1,000	-	-
5,000 yards of path, at 6d. per yard	-	-	-	125	-	-
Guano	-	-	-	100	-	-
Dung and carriage, O'Connorville	-	-	-	320	-	-
36 pair of gates and piers	-	-	-	180	-	-
Oxfencing at Lowbands	-	-	-	80	-	-
Land, and legal expenses	-	-	-	38,500	-	-
Extra to hauling to Minster	-	-	-	500	-	-
Davies, for cress	-	-	-	60	-	-
Hobb, for outgoings, Moate	-	-	-	52	10	-
Paid on joiners' work, 85 houses, Bromsgrove	-	-	-	510	-	-
Paid labour on portable stables, workshops, and forge	-	-	-	150	-	-
Ironmongery and sawing	-	-	-	30	-	-
In bank and orders at this date	-	-	-	1,000	-	-
Paid Walker and men, harvesting at Minster	-	-	-	100	-	-
				£95,632	10	-

Mr. O'Connor accompanied these figures by a verbal explanation, from which we take the following :—

“ There is the money, and here are my observations. From the timber expense of houses will be deducted the amount paid for timber in workshops, portable stables, granaries, and chaff-room, forge, and wheelwright's shop, and also for the timber for the joiners' work of eighty-five houses at Bromsgrove. I beg the attention of the Committee to this: There is no charge for nearly eight miles of pear trees, planted at six yards apart, or for furze hedges, with which the allotments at Lowbands are divided, amounting to fifteen miles and three quarters. There is no charge for labour upon any estate: while at Herringsgate the land was cultivated by hired horse labour, and there was about twenty acres of copse and stiff hedgerows grubbed, ponds and holes filled in, and gardens made upon the site of the old buildings and farm-yard. At Lowbands the land was cultivated, about thirty acres pared and burned, several miles of drains made, hollows filled to the extent of five feet high in some instances, all the fences levelled, and a quantity of copse grubbed and the land cropped. At Minster the land was cultivated, but not cropped, from twenty to thirty acres thoroughly drained, and about twelve acres pared and burned. At Snigg's End there were nearly 100 acres pared and burned; the land was ploughed, scuffled, harrowed, and rolled, some of it three times, and about seventy acres planted with potatoes and sown with barley. All the old fences were levelled, and eleven acres of old copse grubbed. In the above account there is no charge for removing implements and building materials from Hertfordshire to Lowbands. There is no charge for removing twenty-three horses and all building materials from Lowbands to Oxfordshire. There is no charge for removing forty-five horses and the materials and furniture of men from Oxford to Snigg's End. There is no charge for removing fifty horses, agricultural implements, building materials, furniture of men, joiners' work for houses, and portable stables, from Snigg's End to Bromsgrove. There is no charge for bailiffs, overseers, nor blacksmiths from the commencement. That is my rough calculation, and I beg if there is anything that strikes any member of this Committee, in this or any other matter, as exorbitant, to state at once what it is. Of what has been paid, not a farthing for labour has been paid upon 800 acres of land cultivated in the best style; not a single fraction from the beginning to the end. If I am asked what constitutes the difference, it is the old material that I have grubbed and sold, and the interest upon the Exchequer bills. I am happy to have an opportunity of giving the Committee a rough outline of what I have paid. There has not been a bill given to any tradesman, and everything has been purchased at the lowest price. There is an account for everything. The houses will not come to 131*l*., nor to more than 120*l*. a house, and there is no charge whatever for one single day's labour, and the labour for the whole of them

would average 50*l.* a-week; that would be 5,300*l.* for labour. Now I think I have given the Committee not what may be done, but what has been done, and has been paid; when it is asked what has been done with the 93,000*l.*, there is my statement. I have now made my statement, and the accountant will make his statement afterwards."

Mr. W. H. GREY, who had been appointed to examine the accounts of the company by the Committee on the 27th of June, then made a statement, to the effect that he could not complete the examination for want of the personal assistance of Mr. O'Connor or his clerk, and the production of certain books and vouchers. Mr. O'Connor said that if Mr. Grey would do him the honour to come down into the country, he should have the bank-book, every document he could require, all the people to explain to him, and the assistance not only of himself, but of his clerk and overseer. To which Mr. Grey replied, if this was done, he would be able to present a clear financial statement in a reasonable time. Since he was appointed by the Committee, he had not made any application to Mr. O'Connor to afford him facilities for investigating the accounts. It did not strike him that Mr. O'Connor was the person to apply to, although the accounts showed that he was so personally bound up in them. He thought the Chairman of the Committee was the proper person to apply to in any difficulty, and that through him he should obtain anything he found necessary. Hence his present statement to the Committee. If Mr. O'Connor presented him with the memoranda-books and vouchers, which he had now promised, he could arrive at the result; but he could not then possibly state what that result might be.

At the next sitting of the Committee, on the 21st of July, Mr. GREY was re-examined:—In the interval he had been down to Dodford, the estate now in progress under Mr. O'Connor's superintendence, and there had examined a great mass of papers and vouchers, wages-books, and other documents, showing what the expenditure had been generally under this Land Company. He had been enabled to ascertain what particular sum had been spent upon each estate, and to draw up a statement, which showed what sums had been received, and, as nearly as possible under present circumstances, what sum had been expended. The witness gave the subjoined explanation of the course he had taken to arrive at these results:—

"In entering on the examination of the accounts of the National Land Company, my first care has been to establish the amount to be accounted for. I find that there are between 70,000 and 80,000 subscribers to the company, each holding on an average three shares of 26*s.* each. The sums eventually receivable on these shares would therefore amount to between 273,000*l.* and 300,000*l.* The share money is payable gradually at the pleasure of the subscribers, and no calculation can be made of the sum likely to be received in a given time. An announcement is made every week in the 'Northern Star' of the amount

received on account of the Land Company, and this has been done from the first establishment of the company. I have examined every number of the 'Northern Star' from that period, and ascertained from it the amount acknowledged both as contributions to the Land Company, and as deposits in the Land and Labour Bank; and I find that the whole amount advertised (after allowing for a double announcement of 400*l.* in June 1847, first as a deposit in the bank, and afterwards in the land-purchase department of the company) *agrees very nearly indeed with the amount credited to the company in the balance-sheets which have been published, and in the accounts which have been placed before me.* I have further tested the general correctness of the amount so credited to the company by analysing the receipts stated in the quarterly balance sheets; throwing together the amounts appearing therein as received from each town or place, and adding the whole together, I have thus arrived at a result something below the whole amount credited; a difference which I attribute to the omission of some quarterly returns, but which is immaterial, as it occurs on the right side. I do not know how I could further verify the debit side of Mr. O'Connor's account. The sum admitted to have been received from May 1845 to the present time amounts to 96,432*l.* 4*s.* 6½*d.*, and with that sum I accordingly charge Mr. O'Connor. I have added to this a sum of 1,350*l.*, with which Mr. O'Connor has charged himself for the benefit of the company, as the profit arising from the re-sale of a farm purchased for 3,900*l.*, and sold again immediately afterwards for 5,000 guineas. I have further charged Mr. O'Connor with the sum of 6,391*l.* 0*s.* 2*d.*, being the balance between the deposits and withdrawals of the Land and Labour Bank, between its establishment on the 1st January, 1847, and the separation of its accounts from those of the Land Company, on the 22nd September following. To this I have added interest due on this debt, to the 30th June last, and an increase made to the debt by the payment of salaries of the bank officers to 30th June, not yet repaid by the Land Company. I have also debited Mr. O'Connor with various sums, which he informs me he has received for the sale of crops and timber from some of the lands he has purchased;—for profit arising from interest and increased premium on Exchequer bills, to the amount of 37,000*l.*, purchased from time to time with the funds of the company, of which 31,000*l.* have been resold; and also for interest allowed by different banks on the balances of money which have remained in their hands. The whole sum arising from these different sources, with which I charge Mr. O'Connor, amounts to 109,172*l.* 16*s.* 4½*d.* It appears that during the first few months of the existence of the company, the contributions received were paid into the London Joint-Stock Bank to the account of the treasurer, Mr. Roberts, by whom they were subsequently handed over to Mr. O'Connor. The London and Westminster Joint-Stock Bank is mentioned in the rules of the company; but it does not appear that any account was ever opened there, and I am told that it is quite an error that the

word 'Westminster' was introduced, as it was always intended to use the London Joint-Stock Bank. After a time, accounts were opened by Mr. O'Connor at two other banks, viz., the Witney Bank, and the Gloucestershire Banking Company. As monies were received at the Land Office, the expenses of the management of the company, and subsequently those of the bank, were paid by the secretary out of these funds, and occasionally other expenses connected with the scheme were also paid by the secretary, and every week the balance was handed over either to Mr. O'Connor himself, or to his agent, Mr. M'Gowan, by whom, under Mr. O'Connor's directions, payments were made, either to Mr. Allsopp, a stock-broker, for the purpose of being invested in Exchequer bills, or to one of the banks I have mentioned, to the credit of Mr. O'Connor; the account at the London Joint-Stock Bank in the name of Mr. Roberts having been closed, and one opened in Mr. O'Connor's own name. I have traced the sums received at the Land Office into these different banks, in the following proportions, viz. : to the account at the London Joint-Stock Bank in the name of Mr. Roberts, to the amount of about 20,000*l.*; to the account in the same bank in Mr. O'Connor's own name, about 25,000*l.*; to the Witney Bank about 12,000*l.*, and to the Gloucestershire Banking Company about 40,000*l.* The payments made by the secretary at the Land Office amount to about 8,000*l.*; and this, with the value of 6,000*l.* in Exchequer-bills in the hands of the broker, will account generally for the first disposal of the monies which have been received.—I come now to the expenditure of the sums thus traced into the hands of Mr. O'Connor and his bankers. I am sorry to say that the time which has been allowed me for making this report will only admit of my doing so in a general manner. It would occupy several months to prepare a detailed statement of an account comprising upwards of 100,000*l.* in many small payments, and spread over a period of more than three years; for my own justification I must add that the accounts I have had to examine have been very imperfectly kept; indeed I have had entirely to make an account, rather than to examine one. The accounts of individual contributors were left entirely to the district secretaries until very lately, when books were opened at the Land Office, showing the name of each of the 70,000 or 80,000 contributors alphabetically arranged, and the amount subscribed by each. These books have been very creditably prepared.—Mr O'Connor himself keeps very imperfect accounts; his bankers' books and cheque-books, and a memorandum-book of payments made in cash, together with the wages-books and petty cash accounts of his overseers, are the only account-books he relies on. From the examination, however, which I have been able to bestow upon what books, accounts, and vouchers have been placed before me; *from the frank and open manner in which everything has been submitted to my inspection, and from the readiness with which every inquiry of mine has been met, I am thoroughly satisfied, not only that the whole of the money which has passed into Mr. O'Connor's own hands, or has*

been placed at his disposal in respect to the Land Company, has been honourably appropriated and is fully accounted for, but also that several thousand pounds more of Mr. O'Connor's own funds have been applied in furtherance of the views of the National Land Company. Under the circumstances I have mentioned, I do not pledge myself to the perfect accuracy of the accompanying balance-sheet, which I have prepared hastily from the materials I have described. It shows, however, in a general manner, 1st, The expenses of the management of the company; 2ndly, The legal expenses which have been incurred in establishing the company; 3rdly, The expenses of managing the bank, and the interest allowed on the sum borrowed from the bank deposits; 4thly, The cost of horses, cows, implements of husbandry, and other general expenses necessary for carrying on the operations of the company; and, 5thly, I have given the cost of each estate which has been purchased on account of the company, the law expenses attending the purchase, the money which has been laid out (as far as I can ascertain it) in preparing the land for allotment, by levelling buildings and hedges, in manuring and cultivating the ground in the mean time, and in erecting houses on the allotments; and I have added the amount which has been paid on each estate, either as aid-money or as further loans to assist the allottees. I do not mean to tell the Committee that I have seen vouchers bearing out every item of the expenditure; I have not had time to arrange and examine all the bills and receipts which have been put before me. Mr. O'Connor appears to be habitually careless in such matters; he considers the memoranda made on the counterpart of his cheques in some instances as sufficient vouchers for the payments; he has paid the aid-money to all the allottees without taking any voucher whatever. There are no vouchers for the weekly salaries of the directors and other officers of the company, nor for their travelling expenses; but I have seen bills and receipts for the great bulk of the other payments. The wages-books have been kept by persons not much accustomed to book-keeping, but they are, I think, sufficient proof of the disbursements they record. They do not, however, distinguish the labour bestowed on the land from that on the buildings, and it would require a long and careful examination to separate them. I cannot, therefore, now state the amount of the building expenses, or the cost of each cottage. I have taken every pains that the time would admit of, to attribute every item of expenditure to the proper estate, and thus to afford the means of estimating the amount on which interest is to be calculated as a rent charge, and to show generally the amount of that charge per acre on each estate. A more exact valuation, not only of each house, but of each plot of land, ought to be made before the rent charge can be fixed to each allotment; and in doing this fairly and effectually, the services of a surveyor would be of more importance than those of an accountant."

Mr. Grey then handed in a balance-sheet containing the details

and general results. As, however, that account was afterwards made the basis of an elaborate analysis by Mr. Finlaison, the eminent actuary of the national debt, which much more distinctly brings out the financial position of the company, and which we insert, with the abstract of that gentleman's evidence, it is unnecessary to do more than present the general conclusions of Mr. Grey's examination and balance-sheet:—

“The total expenditure, including Exchequer bills, postage stamps, post-office orders, half notes, and cash in hand, was 112,471*l.* 1*s.* 8*d.*; the actual receipts had been 109,172*l.* 16*s.* 4½*d.*; leaving a balance in favour of Mr. O'Connor of 3,298*l.* 5*s.* 3½*d.*

With respect to the outstanding capital and liability of the Company:

Assuming the number of subscribers to be 70,000, each

holding three shares of 26 <i>s.</i> each, the share-money	£	s.	d.
should amount to	273,000	—	—
There has been received	90,714	18	1

Remainder uncollected	182,285	1	11
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Against these uncollected contributions there were to put the following outstanding liabilities:

	£	s.	d.
Mortgage on Minster Lovell	5,000	—	—
Ditto on Snigg's End	5,800	—	—
Sum due to the Land and Labour Bank	6,853	15	5
Ditto to Mr. O'Connor	3,298	5	3½
Remainder of purchase-money of Mathon	13,545	—	—
	34,497	—	8½

Mr. GREY was closely examined by Sir B. Hall on the point of the production of the originals of the printed balance-sheets, to which Sir Benjamin apparently attached great importance. He had not had the original balance-sheets produced, but the vouchers, books, and documents, from which these balance-sheets were made, had been produced to him, and he found that they agreed with the printed balance-sheets. The reason of the non-production of the manuscript originals, as he understood, was, that only one copy was made, which was sent to the printers, and cut up into fragments for the use of the compositors. Of course he could not personally have any knowledge of that fact, *but the items in the books corresponded with those printed in these copies of the balance-sheets.* The witness went into the accounts very critically, and went back to O'Connorville from the very beginning. He testified in the strongest manner the anxiety and readiness of Mr. O'Connor to give him every facility for the most close and ample investigation of every single item connected with the finances of the Company. He had been over all the balance-sheets of Mr. O'Connor, and compared them with the sums stated to have been paid in the labour-book kept by the overseer, and found no difference between the labour-books and the balance-sheets. After having subjected the vouchers to a critical examination—having been

fifteen and sixteen hours a day at work upon them—he had, as far as possible in the time and with the materials, made the abstract account of the several estates, which he had handed in to the Committee, leaving to a subsequent period the more minute distinction to be made of these different estates. Having done this, he had no doubt in his mind that the Company was in debt to Mr. O'Connor. The imperfect and inaccurate mode of keeping the accounts, at the earlier stages of the Company's proceedings, had decidedly made Mr. O'Connor a sufferer, and if he had made charges which he might have made it would have largely increased the sum in his favour; but, from the beginning to the end, there was not a single fraction charged for any expense he had been at.

The Committee sat again on the 28th of July, when Messrs. Grey and Finlaison were examined as to the practicability of the scheme, and the probable working out of the reproductive principle. Mr. Grey was of opinion that the plan was decidedly impracticable with the present capital and constitution of the society. He assumed, as the basis of his calculation, that each reproduction would only be two-thirds of the preceding one, according to the principle of the Company; and calculating it at this rate, he made the whole amount that would be reproduced until it came to the vanishing point, 546,114*l.*, which, added to the original capital of 273,000*l.*, would make a total of 819,114*l.* as the whole sum of capital and money on mortgage that could be raised, according to the existing constitution of the Land Company. Taking the average rate to be 300*l.* per location, that sum would locate 2,730 persons, leaving 67,270 unprovided for. The several ratios of decrease, as he had calculated them, would be: capital, 273,000*l.*; first mortgage, 182,000*l.*; the next, 12,333*l.*; and thus it would decrease till at the fifteenth mortgage it would be less than 1,000*l.*, it would be 936*l.* It would go to fifteen points more before it came actually to the vanishing point; but it would be so trifling that after the eighteenth point the sum would not locate one individual. His opinion, therefore, was, that it was utterly impossible to work out this scheme by means of mortgage, on the calculation that only two-thirds could be raised in that way, when the amount required to locate the whole 70,000 subscribers would be 21,000,000*l.*

On this evidence, the Chairman then said to Mr. Finlaison:

I need scarcely ask you, after the evidence that has been given, whether the purposes of this society can be by any possibility carried out by means of mortgage?—Certainly not, from the funds of private individuals.

Supposing there was no difficulty in obtaining the capital by way of mortgage, could then, according to the principles of the company, the scheme be carried out so as to locate all its members?—Not if it were an absolutely unassailable position, that nothing but two-thirds of the value of the property was mortgageable; but I do not hold that to be so. In advancing money on mortgage, that is, on a perfect security, there is a great distinction to be drawn between private individuals risking their own personal

property, and a public company, for instance, risking its capital, in which many thousand persons may be concerned, each subscribing so many hundred or thousand pounds towards the company. I distinguish between the risk that a private person would run in the advance of his own money, because many circumstances would influence him, and the risk which a company would run in having power to take possession of the soil or other property upon which they lent money. Upon that rigorous principle of exhaustion which Mr. Grey has stated, that it would be impossible is a self-evident truth.

Have you any other observation to make with regard to this assumed reproduction by way of mortgage, as to its feasibility or probability?—So far as loans on mortgage are to be derived from the funds of private individuals, certainly there is no hope whatsoever of security upon any great scale to be afforded by this institution. The uncertainty that every tenant will be industrious, that every tenant will be skilful, and that every tenant can, from his state of health and other circumstances, be capable of cultivating his farm, is so great a detriment and discouragement to private individuals, that there is no hope that any person would be likely to lend anything like two-thirds, because of the uncertainty of securing a return.

Mr. *Henley*.] You have stated that in your judgment the scheme would be impracticable, if money were raised only upon the principle of two-thirds of the value; what would be your idea if money were to be raised to the full amount of the property?—I do not think it would be practicable to raise money from private individuals, by either mortgage or sale of the property, to the full amount; my observations evidently apply equally to a mortgage or sale of the ground-rent, which is the only property reserved.

Supposing that the funds for mortgages were to be supplied, not by private individuals, but by a public company, what would then be your judgment as to the practicability of the scheme, supposing that public company advanced funds to the full amount of the value of the property?—It may seem visionary in me to say so, but I cannot help thinking the scheme would be practicable by degrees; that a public company advancing money to the full amount that has been found necessary to locate those people in their holdings, would have a tolerable reason to expect an adequate return for their capital; and in such a case, armed with sufficient power to re-possess themselves of the land of the defaulting tenant, I do not see any reason why it might not be practicable by degrees, in a reasonable time.

Supposing, then, that to be the case, and that a public company advanced money to the full extent of the capital expended in those various locations, can you give the Committee any information as to the probable time in which those 70,000 persons could be located?—It would altogether depend upon land being obtainable; it could only be done gradually.

Mr. *G. Thompson*.] In other words, you meant to say it would depend altogether upon the rapidity with which lands could be

obtained, and the necessary buildings be erected, and the allottees be located?—Yes, certainly.

Mr. Henley.] Of course I should follow it up by saying, supposing that twelve months, or eighteen months, or two years, or any given time be assumed as the probable period of re-investing and re-creating a fresh quantity of allotments, then what period of time would be requisite to locate the 70,000 persons?—I think we should fall back upon the same difficulty of not knowing in what period of time land would be obtainable, and buildings be capable of being constructed.

Chairman.] Assuming that two years would be the time?—To locate 70,000 people in two years, each on a separate parcel of land, is, in my own opinion, a clear impossibility.

Mr. Henley.] I think you do not quite understand the Chairman's meaning. Taking, now, in round numbers that the whole cost of those allotments has been between 80,000*l.* and 90,000*l.*, producing an average income of five per cent., allowing that as the foundation for a fresh borrowing, and so perpetually going on in periods of two years each, what would then be the probable time the 70,000 would be located in?—I am not able, without much further consideration, to give an answer to that question; but I hold in my hand a statement I have made very carefully as to the progress of the works in the way they have proceeded hitherto, and by that I find that the price per acre of the whole is as follows:—

STATEMENT.

It being impossible to reason on the present condition of the Land Company, without a clear account of its relation to Mr. O'Connor personally, and of its expenditure and debt up to the latest date, I have constructed, from Mr. Grey's accounts, the following Statement:—

	£	s.	d.
Mr. O'Connor has received from the members as the price of shares -	90,714	18	1
And a loan from the Land Bank of -	6,391	0	2
As also various contributions in reference to the expense of management -	4,222	7	2
The same from what is called the Land Purchase department -	1,148	10	0
And for the price of copies of the rules of the society -	346	9	3
He purchased an estate called Carpenter's Farm, and sold it again at a profit of - - - £1,350 0 0			
But in purchasing Mathon Manor, as undermentioned, he was defrauded of a deposit of - - - - - 500 0 0			
The net gain (which he handed over to the company) is therefore - - - - -	850	0	0
He sold the farm produce of the four estates first undermentioned, and gained - - - - -	2,845	11	1
He received as the interest of, and profit by selling Exchange bills - - - - -	1,171	7	0
And he also received interest on the balances which he had lodged at various banks - - - - -	324	18	4
	10,909	2	10
So that the total receipt from every source was - - - - -	108,015	1	1
But he paid out of this—On the general account of management - - - - -	5,428	9	8
For law charges in attempting to enrol the deed of settlement - - - - -	2,130	8	8
And for the separate expenses of conducting the Land Bank - - - - -	477	7	6
	8,006	5	10
So that there is yet to be accounted for - - - - -	100,008	15	3
He disbursed in the purchase of several freeholds, and in the costs of conveyance, as follows, viz.:			
103 acres Herringsgate, near Rickmansworth - - - - -	2,420	13	6
170 acres Lowbands and Applehurst, in Worcestershire - - - - -	8,977	4	10
297 acres Minster Lovell, near Witney, in Oxfordshire - - - - -	6,094	3	2
268 acres Snigg's End and Moat Farm, in Gloucestershire and Worcestershire - - - - -	7,128	13	0
838 acres.			
280 acres Dodford and Oldford Wells, Bromsgrove, Worcestershire - - - - -	10,546	18	1
500 acres Mathon, near Great Malvern, Worcestershire (a deposit) - - - - -	1,505	0	0
1618 acres.			
	36,672	12	7
Thus diminishing the receipt to - - - - -	63,336	2	9

Brought forward	-	-	-	-	-	£	s.	d.
He further disbursed on those estates, in building, roads, and agriculture, as under, viz.:						63,336	2	9
At Herringsgate	-	-	-	-	6,543	11	3	
At Lowbands	-	-	-	-	8,825	15	8	
At Minster Lovell	-	-	-	-	15,346	12	6	
At Snigg's End	-	-	-	-	18,709	4	11	
And at Dodford and Wells	-	-	-	-	1,499	16	4	
N.B.—The total charge of works on the first four estates, in respect of 838 acres, is 49,425 <i>l.</i> 4 <i>s.</i> 4 <i>d.</i>						50,925	0	8
Thus further diminishing the receipt to	-	-	-	-		12,411	2	1
He has moreover aided the tenants located on the above estates by the following sums, viz.:								
Those at Herringsgate	-	-	-	£ 772	10	0		
Those at Lowbands	-	-	-	1,100	0	0		
Those at Minster Lovell	-	-	-	1,538	0	0		
Those at Snigg's End	-	-	-	1,400	0	0		
					4,810	10	0	
As also various additional advances to some or other of the above persons	-	-	-	700	0	0		
But he recovered back from those who had sold their allotments	-	-	-	195	0	0		
Net advance to these last	-	-	-		505	0	0	
						5,315	10	0
Thus again diminishing the receipt to	-	-	-	-	-	7,095	12	1
He further disbursed in the purchase of horses, cows, and implements of husbandry, all which are now on hand as the farm-stock of the company	-	-	-	-	-	2,734	3	2
He has therefore exhausted the receipts, all except the sum of	-	-	-	-	-	4,361	8	11
Mr. O'Connor is in possession of Exchequer bills to the amount of 6,000 <i>l.</i> , the value of which is	-	-	-	-	6,175	0	0	
But it is evident on the face of this account that a por- tion thereof is his own private property	-	-	-	-	3,298	5	3	
And therefore the property of the company is only	-	-	-	-	2,876	14	9	
Some of the remittances are still on hand in the shape of penny stamps, half notes, and post-office orders still unpaid, about	-	-	-	-	500	0	0	
There is also in hand at the Gloucester Bank	-	-	-	-	965	16	0	
And at the London Joint Stock Bank	-	-	-	-	18	18	2	
						4,361	8	11
Thus, after reserving to Mr. O'Connor his own money, 3,298 <i>l.</i> 5 <i>s.</i> 3 <i>d.</i> , the assets in hand are	-	-	-	-		4,361	8	11
And so the whole receipt is accounted for.								
It is not doubted that the horses and other farming stock, if sold, will at least return the cost price	-	-	-	-	-	2,734	3	2
So that the assets of the Company really are	-	-	-	-	-	7,095	12	1
Against which there is the debt owing to the Land Bank as above—								
Interest due thereon	-	-	-	-	£6,391	0	2	
Salaries, &c., due, but not included among the other bank expenses above set forth	-	-	-	-	320	0	0	
					142	10	0	
						6,853	10	2
Thus, after repaying the Land Bank principal and interest, and all its expense of management, and after returning to Mr. O'Connor the money which he had advanced out of his own private funds, the Land Company has still a small surplus of	-	-	-	-	-	242	1	11

Such having been the state of the Company's affairs in its relation to Mr. O'Connor and the Land Bank, I am now to consider its position in reference to its engagements with the individual members who compose it.

The following Debts are incurred:—

1. LAND CHARGE.

	£	s.	d.
Two life annuities, of 20 <i>l.</i> each, encumber the estate of Herringsgate; their present value may be estimated at	-	-	400 0 0
There is a mortgage on the estate of Minster Lovell of	-	-	5,000 0 0
Ditto on that of Snigg's End	-	-	5,800 0 0
And the residue of the purchase-money of the manor of Mathon is	-	-	13,545 0 0
Estimating the cost of conveyance and stamps to complete the purchase at	-	-	350 0 0
The total is	-	-	25,095 0 0
And the outlay for land as per former account having been	-	-	36,672 12 7
The total is	-	-	61,767 12 7

And the land purchased being 1,618 acres, it follows that the price per acre is 38*l.* 3*s.* 6*d.*

2. BUILDINGS AND WORKS.

It has appeared that the charge under this head in respect of the 838 acres, in the four first estates (see N.B. in the former account), was 49,425*l.* 4*s.* 4*d.*

Then by proportion the estate of Dodford and Wells, being 280 acres, should not occasion a greater charge in respect of works than

£16,514 8 0

Towards which, however, there is already paid 1,499 16 4

Leaving a further outlay to be made of	-	-	15,014 7 8
And in like manner the estate of Mathon, consisting of 500 acres, should not exceed a charge of	-	-	29,490 0 0

Total	-	-	44,504 7 8
And the sum hitherto paid for works having been	-	-	50,925 0 8

The total is 95,429 8 4

Hence it appears that in respect of 1,618 acres, the cost per acre will be 58*l.* 19*s.* 7*d.*

3. AID MONEY.

This has always been estimated to be 7*l.* 10*s.* per acre.

Therefore for 1,618 acres, a sum of 12,135*l.*, of which is as yet unpaid

And there has been paid 5,315 10 0

Total 12,135 0 0

In respect of	The Rate per Acre is	The Sum already Paid has been	The Sum yet to be Paid is	Both together
1. The price of Land -	£38 3 6	£36,672 12 7	£25,095 0 0	£61,767 12 7
2. Buildings and Works	58 19 7	50,925 0 8	44,504 7 8	95,429 8 4
3. Aid-money - -	7 10 0	5,315 10 0	6,819 10 0	12,135 0 0
TOTALS - -	104 13 1	92,913 3 3	76,418 17 8	169,332 0 11

On the basis afforded by these facts, Mr. Finlaison made a computation, assuming that the distribution into shares or tenancies would be in the same proportion in future, from which he drew the general conclusion that when the sum yet to be paid, 76,418*l.* 17*s.* 8*d.*, shall have been discharged, there might be located on the land now acquired 241 men, 2 acres; 84 men, 3 acres; 221 men, 4 acres; or less than 1-35th part of the number now entitled to the ballot.

Mr. *Henley*.] Assuming that a public company chose to advance money to the full amount of the capital expended upon those several estates, do you think, then, that the scheme would be wholly impracticable?—I do not think it impracticable. Perhaps I should apologise for saying so, for it is not very much within my department; but speaking like any other man, I confess I do not think it impracticable, with adequate capital and reasonable time.

Then in your judgment, if a public company advanced money to the full amount of the capital expended, or the interest upon that capital at five per cent., you do not think it wholly impracticable?—I do not, such company being armed with the necessary powers to expel the unproductive tenants in the usual way.

Then, necessarily, if that be so, if those estates improved in value, a public company would be justified in advancing a still further capital upon them?—There is a great deal to be thought of with respect to the probable increased value of the property. It is exceedingly difficult to estimate in what degree it may go on, considering the amazing difference of talent, skill, and industry on the part of the poor people that are likely to inhabit those tenements; and, secondly, because I assume that, in the first instance, they are entirely destitute of capital to answer the three great ends that capital is employed in human affairs for. One is to maintain themselves until they can get a return for their labour; another is to maintain themselves in case of disasters from seasons; and a third is to maintain themselves in case of sickness and incapacity to cultivate their farms. The uncertainty of that is so great that I am not able to make any allowance for the prospective increase of the value of the property, because I find the deterioration in some cases, and the disasters that happen to individuals, would fairly counterbalance any increase to be created by the industry of others. If I were to state my own real opinion of the working of such a scheme, supposing it set a-going, I would say it would be safest to assume there would be no such improvement, but leave the chances of such improvement as a margin of safety to the whole concern.

I did not ask your opinion as to whether it was likely to be improved; but assuming that there was an improvement, then the security would be a better one?—There is no doubt of that, but the improvement of some would be countervailed by the deterioration of others.

If the improvements of some were countervailed by the dete-

rioration of others, there would be no improvement upon the whole?—That is my opinion.

The question was, supposing an improvement on the whole, the security would become a better one?—No doubt.

Mr. *G. Thompson.*] By the word “practicable,” do you mean arithmetically practicable as a question of figures, which is very intelligible, or in your judgment, supposing the capital invested could be re-created in the space of two years, and that re-created capital be similarly invested, and so on progressively until all were located, you thought it was a practicable scheme as regards, first, the interests of the parties that create the security, and then of those who from time to time advance money upon such security?—I am not aware that any of my answers referred to the practicability of its being completed within two years.

Chairman.] When you say that it is not an impracticable scheme, am I to understand you to say that it is not impracticable financially, or that it is not impracticable morally?—I think I stated that if adequate time and adequate funds were allowed, the scheme in itself would not be impracticable; that it is, of course, not merely financially practicable, but that, in my opinion, it is actually and absolutely practicable with sufficient time to procure land. I think I have stated so more than once.

Have you assumed any given period of time within which the sum of 273,000*l.*, the assumed capital, can be laid out?—My answer all along went on this ground, that no specific time could be assigned for the procurement of land, and the erection of buildings, to locate any number whatever.

Then, assuming, from past experience, that the sum of 273,000*l.* could be laid out in the purchase of land, that is, the whole sum in each two successive years, have you at all calculated how many years it would take to invest the whole capital in land requisite to locate the whole 70,000 people?—There are elements for such a question, because it appears that for the location of 230 people a certain sum of money has been expended, and taking it by proportion, there is no difficulty in giving a distinct answer to the question; but I have not worked it out.

Sir *G. Strickland.*] I think you said that it might be considered visionary in you to say that under certain circumstances such a scheme might be not impracticable, but that you considered that, as a mortgage, two-thirds of the value never could be raised, on account of the uncertainty of the tenants. Now, in saying that you think if money were advanced by a public company it was a practicable scheme, have you fully considered in that point of view the uncertainty of the tenants paying their rent, and other contingencies?—Yes; I think that the proposed company would run no very great risk of loss, supposing them, as I stated, armed with the necessary legal powers to protect themselves, because five per cent. is a high return for capital, and allowing that they contented themselves with four per cent. for the interest of the capital, the other one per cent. would seem to

me to be a sufficient safety fund to protect them against casual losses. I further have in view (but it is merely speculative) that, in case the tenant were defaulting, the company, or the lender, should be at liberty to dispossess such defaulting tenant and set up his tenancy to auction for instance; and there are various ways, supposing the company armed with the necessary powers to protect themselves, by which their loss will be very little, in my humble judgment.

Mr. *Monsell*.] Taking into account the average number of acres in each allotment, and the amount of rent payable by each allottee, do you, in fact, think it probable that any company would be found to advance money for the whole amount that has been expended by the company?—It is a mere opinion, but many companies have been lately formed for schemes much more visionary.

Mr. *O'Connor*.] There has been a question put to you with reference to the rules of the society, as now existing; namely, the conferring upon the holders a lease for ever; that is, giving them a freehold, and reserving only a rent-charge?—Yes.

Do you conceive that if that lease were made for 99 years, with the usual power to re-enter, it would increase the security to the mortgagee or to the purchaser?—With submission, I think it would not, because a lease for 99 years approaches, in a pecuniary point of view, so nearly to a freehold that the difference is inconsiderable.

Except the one is a freehold and the other is a chattel. However, if there was a clause to repossess, for the mortgagee to sell, would that increase the value of the security; that is, if it were in the power of the mortgagee to sell?—I think so, decidedly.

Of course you have heard of dissolving-views. I have heard of these estates vanishing altogether after 18 times returning two-thirds of the rent. Have you gone over the account which Mr. Grey has furnished?—I have gone over the accounts which Mr. Grey furnished most minutely and most attentively, with a view to bring out a balance against, or in favour of, Mr. O'Connor, and also with a view to enable me to make the statement which is in the paper that I have just given in.

What is the result of your investigation of the accounts as regards Mr. O'Connor, firstly?—The result of my investigation is, that Mr. O'Connor is out of pocket 3,400*l*.

That, I think, is 112*l*. more than Mr. Grey made it?—Yes; there is a small error of 40*l*. which we corrected; it is not worth speaking about.

However, after the minute investigation of the accounts with Mr. Grey, you make 3,400*l*. due to me?—Yes, I do.

Suppose you were convinced satisfactorily that those persons who are located upon this land were all industrious, would that then give you an opinion that it would be a good security?—I suppose the Honourable Member alludes to the case of the company?

No; I am alluding to the simple case you have spoken of, of

productive labour not being applied, from illness or casual sickness. Suppose you understood and were satisfied that all those casualties, like the estates after 18 years' mortgaging, vanished and dissolved, and that the people were all industrious, would you then be satisfied of the goodness of the security?—I beg the Committee to be pleased to bear in mind that I have uniformly distinguished between two classes of lenders: the one is the private individual who risks his own peculjum, and the other is the great company in which each only risks his share. The cases are not to be reasoned upon the same basis.

Then I understand you, I think, to say that the question of reproduction would mainly depend upon the facility of obtaining land upon mortgage or purchase, and building houses?—The point to which I alluded was not the reproduction; I did not mean by that term, the produce of the sale or mortgage of a rent charge; but I meant that the company having sufficient capital to purchase land, which land was saleable, it might in a certain time, but in no definite time, accomplish the end which is proposed by this scheme. I hope it will be always borne in mind that I do not believe in the practicability of private people advancing their funds for this purpose.

That is as far as regards private individuals; but I think you stated there would be no difficulty in getting the money from public companies?—I mean to say that a public company might do it, and I do not see any great danger of their losing by it. The Honourable Member will remember that I never said there was not any difficulty in forming such a company.

The Chairman has asked you to make your calculations if it took two years to purchase 273,000*l.* worth of land, or if it took you two years to expend that money in building houses upon it so as to place it in a reproductive position, and he then asked you to make other calculations as to how long it would take to locate 70,000 persons, did he not?—Yes.

Then I will ask you to make a calculation upon a graduated scale, not to make that the maximum, because you have said you take your standard from the number located in a given time?—Yes, that is so.

Then suppose I could get land to purchase in the market, and could build 1,000 houses in the same time that I could build 10,000, do you not then think the time would be very much limited between the first purchase and the reproduction and the location of the first; for instance, if I could purchase 10,000 or 20,000 acres at once, and build 1,000 houses as soon as 10,000 houses, would that take two years?—I am no judge of the progress of works of that kind.

I put this question in consequence of the Chairman directing your attention to the length of time that it took to locate so many people, presuming it would always take the same time; you are to understand that, in the first place, the money came in in dribblets; it commenced operations when there was a very

small fund; but when you start from a point of 273,000*l.* you are not to presume that it would go on in the same indefinite and dribbling manner; for instance, supposing I had 273,000*l.* collected from the sale of estates, and say that it takes two years to provide a given number of locations with the money coming in in dribblets, then the money coming in in a whole, it would not take so many years to locate all?—It is a question I cannot answer.

Supposing it to take me two years to locate a certain number upon the amount stated to be the whole capital of the company coming in in dribblets; you understand that?—Yes.

Then if at the end of two years or three years I succeed in procuring all that capital, and the money's worth in land and houses, you would not measure my ability to locate any number of occupants by the same rule that you measured it to locate them when the money came in in five thousands, and three thousands, and eight thousands?—I do not know of any answer I can give to that question that falls within the course of my previous studies.

I will put it in another way; supposing that I commenced operations with 5,000*l.*, and I rely upon the reproductive system to carry out a certain scheme, my operations so commencing with those 5,000*l.*, would that be as rapid a progress as commencing with 273,000*l.*?—That it would not be so is self-evident.

I am now presuming that I am not obliged to go on with this dribbling capital; therefore I ask you not to make your calculations upon that data, upon the data which is passed, but upon the presumption that it will take me two years to purchase lands and build houses to the amount of 273,000*l.* I think you have stated that it would take upon an average three hundred and odd pounds to locate each individual; where did you find the 230?—I find that is the number that is actually located.

But the work is all finished; the carpenters' work; the timber purchased, the gates purchased, and so on, for 250 persons. So that if you have divided 230 instead of 250 into the general amount received, and have taken then the amount that each house cost, you are considerably out, are you not?—The reason for which I took the people already located as the basis, was in order to see how many of them held two acres, how many three acres, and how many four acres; and upon the fact as returned, that those people who formed the 230 persons were located in possession of such and such tenements, I have thrown out all the other tenements, and it comes as near as can be to three acres each, as you see. The 273,000*l.* would be three acres, and what I bring it out to is 269,439*l.*

You have made an error of $\frac{2}{15}$ ths or $\frac{2}{15}$ ths; suppose the number of persons located to be 250, and not 230, there would be a less amount expended upon each location?—No, it does not affect the reasoning; if there were 20 more people, they would be distributed in respect of the different tenements in the same order.

Would not it make a difference if 20 more houses had been

built?—Not if they were distributed in the same order of tenancy.

Not if 250 instead of 230 were upon the land?—No, not if there are so many of two acres, so many of three acres, and so many of four acres.

Those calculations then, in fact, are made upon the data of the vanishing and dissolving views, and 20 of my houses are gone, and you say that makes no difference in the calculation?—I am afraid the Honourable Member does not understand the meaning of my answer. It amounts to this: before I could ever approximate to the ultimate expense, it is necessary to know what number of shares will be possessed by any given number of people; that is to say, how many will possess four acres, how many three, and how many two; I have no criterion for finding that out except by what is stated in the return showing the order in which they are located. I see, from the evidence, that 20 more were built than were in that return filled in as being located; but there is no reason to suppose that the 250 would not range with respect to the number of acres they hold in the same order.

Do you mean to say, then, that if 100 acres more had been purchased, and twenty houses more had been built, it does not disturb the foundation of your calculation?—Not the slightest.

If you take the amount of land, and the amount of money, and the number of houses, as the foundation of your calculation, how can you arrive at a fair conclusion; that is, leaving out 100 acres of the land, and twenty of the houses; if you take the whole money and put down 100 acres less than is purchased, and twenty houses fewer than are built, will you tell me how you arrive at the conclusion?—The first thing to be observed is the total number who have subscribed, and who are said to be 70,000 people; if those 70,000 people ranged in the order of their subscriptions similar to the 230 who have been already located, they would stand as set forth in the latter part of the account which I have just given in. All that has reference to nothing else than the arrangement of so many acres to each person composing the number that have been located, assuming that instead of three acres a-piece they shall in future be set down in the same order that they have been placed already.

A lengthened examination at this point only elicited from the witness that the differences Mr. O'Connor wished to impress upon him would make no other alteration as to the general prospects of the undertaking than those he had stated. The scheme as put forward by the Company, based upon the system of reproduction, he considered absolutely impracticable; and the ground of this idea of the practicability of a scheme of this kind for the location of persons upon small properties was founded on the supposition that a Company might be formed who would be ready to subscribe for the purpose of obtaining land, and letting it out to parties at five per cent.; that idea was not merely founded on his own imagination, but he remembered when he was in Flan-

ders, seventeen years ago, having heard that the late King of Holland had pursued to a great extent a similar scheme. His knowledge of it was very vague, but he was told at the time the rupture took place between Holland and Belgium that the scheme was likely to be very successful. The remainder of Mr. Finlaison's examination was mainly occupied by guesses at the time within which the whole of the subscribers could be located—each "guess" varying according to the data assumed, and throwing no new light upon the question. This closed the examination of witnesses. The room was then cleared, and the Committee proceeded to deliberate as to their Report on the evidence they had taken.

The Chairman proposed the following resolutions, which it will be seen were strongly and without qualification condemnatory of the company:—1st. That the proposed additional provisions to the Friendly Societies' Acts, which are incorporated in the bill entitled A Bill to Alter and Amend an Act of the 9th and 10th years of her present Majesty for the Amendment of the Laws relating to Friendly Societies, will not include the National Land Company within those acts. 2nd. That the National Land Company is not consistent with the general principles upon which the friendly societies are founded, *and ought not by any alterations of the provisions of these acts to be included within them.* 3rd. That the National Land Company is an illegal and *impracticable* scheme."

The first resolution was agreed to. On the second a motion was made to leave out the words we have marked in *italics*, which was carried, and the resolution as amended was then agreed to. On the third resolution it was proposed to add after the word company "as at present constituted," to leave out the word "*impracticable*," and to add, "and will not fulfil the expectations held out by the directors to the shareholders." These amendments were carried, and the resolution then agreed to as follows: "That the National Land Company, as at present constituted, is illegal, and will not fulfil the expectations held out by the directors to the shareholders."

The Committee then adjourned till Monday, 31st July, when it again assembled, and the further consideration of the Report to the House of Commons was proceeded with, when the following resolutions were agreed to:—

1st. "That it appearing to this Committee by the evidence of

several witnesses that the books of proceedings of the National Land Company, as well as the accounts of the Company, have been most imperfectly kept, and that the original balance-sheets signed by the auditors of the Company have been destroyed, and only three of those balance-sheets, for the quarters ending the 29th of September and the 25th December, 1847, and the 25th March, 1848, respectively, have been produced; but Mr. F. O'Connor having expressed an opinion that an impression had gone abroad that the monies subscribed by the National Land Company had been applied to his own benefit, this Committee are clearly of opinion, that although the accounts have not been kept with strict regularity, yet that irregularity has been against Mr. Feargus O'Connor's interest, instead of in his favour; and that it appears by Mr. Grey's account there is due to Mr. F. O'Connor the sum of 3,298*l.* 5*s.* 3½*d.*, and by Mr. Finlaison's account the sum of 3,400*l.*"

5th. "That, considering the great number of persons interested in the scheme, and the *bonâ fides* with which it appears to have been carried on, it is the opinion of this Committee that powers might be granted to the parties concerned, if they shall so desire, to wind up the undertaking, and to relieve them from the penalties to which they may have incautiously subjected themselves."

It was agreed further to add to these resolutions, and report the following:—"In submitting these resolutions to the consideration of the House, it is the opinion of your Committee that it should be left entirely open to the parties concerned to propose to Parliament any new measure, for the purpose of carrying out the expectations and objects of the Company."

The Report, as a whole, was then put and agreed to. The Chairman was instructed to report to the House, and the Committee broke up after sitting fourteen days, and being in existence as a Committee for a period of two months.

R E V I E W
OF THE
EVIDENCE GIVEN BEFORE THE COMMITTEE :
AND
PROPOSALS FOR OBVIATING
THE
OBJECTIONS STATED IN THE REPORT, AND FOR
LEGALISING THE COMPANY.

In the preparation of the preceding Abstract, we have been extremely solicitous to present the objections of the opponents of the scheme in their broadest and strongest aspect, without seeking to lessen their influence by any comment upon them in passing. Having now concluded our laborious task, we may fairly analyse that evidence, and present, in a brief and tangible form, the results deducible from it.

For the information of the shareholders, and also for the purpose of bringing the whole question together, both as to defects and remedies, we propose also to append an outline of the amendments upon the plan of the Company which have been suggested by Mr. O'Connor and the Directors, and which are at this time undergoing the consideration of the shareholders.

In entering upon the first division of the subject--the first thing that strikes the impartial reader is the partizan spirit in which the investigation was conducted by the Chairman. The hostile animus by which he was actuated, showed itself not merely in the nature of the questions he put to the witnesses, but in the selection of the witnesses themselves. It was evident he had made up his own mind on the subject before entering upon the enquiry, and was determined, as far as his power and influence went, that the report should tally with his "foregone conclusion." Every one who could by possibility be supposed capable of giving evidence inimical to the plan was sought out and examined at length by the Chairman, frequently by means of leading questions which involved direct personal attacks upon the judgment and honesty of Mr. O'Connor as the principal promoter of the plan--attacks which were still more grossly and openly repeated by his coadjutor, Sir

B. Hall, in what appears to have assumed, in their minds, more of the aspect of a criminal prosecution than a calm enquiry into the merits of a plan which, at least, professed to be brought forward for the benefit of the working classes of this country:

While the Chairman appears to have been unremitting, and certainly most skilful in ferretting out witnesses to make out a *prima facie* case against the Company—he seems to have been equally bent upon suppressing all testimony, (as far as in him lay) which might bring its actual working under the notice of the Committee. Hence only one of the allottees themselves was examined, though Mr. O'Connor proffered their evidence, and the one who was so, was asked only a few questions by Mr. O'Connor himself; the Chairman evidently being desirous of shirking all that class of evidence. In brief, as we have already stated, the leading and confirmed idea of Mr. Hayter and his bottle-holder seems to have been, that Mr. O'Connor was a dishonest man, and the Land Scheme a gigantic fraud, by which he was extracting tens of thousands of pounds out of the pockets of the poorer classes for his own use and profit.

Looking at the virulent and repeated attacks which had had been made upon Mr. O'Connor by a large portion of the provincial and metropolitan press previous to the appointment of the committee, perhaps it is not to be greatly wondered at that the minds of men should have been prejudiced by the unblushing mendacity in which these journals indulged. But while admitting this, it is, we think, equally evident that parties so biassed would have shown a wise discretion in refraining from taking an official and active part in the capacity of *judges*. Their position, if they took any at all, should have been that of *prosecutors*. Mr. O'Connor and the Company would then have known with whom they had to deal, and have fought their battle upon more equal terms. With respect to the motives by which the journals in question were impelled to make so general, and, as respected themselves, so disgraceful an attack upon Mr. O'Connor, we can only infer them from the nature of their conduct previous to and since the examination by the Committee.

Had their object been to promote the welfare of the working classes and to prevent them from being misled by a well meant but unsound plan for improving their condition, there was no necessity for having recourse to such shameful personal abuse of one man. None of them could ima-

gine that attacks on Mr. O'Connor's honesty and judgment were likely to turn him from his path. If he was mistaken in opinion, their attacks were likely to make him cling more closely to his scheme, and as to their aspersions upon his honour, and their allegations as to his misappropriation of the funds—if he was able satisfactorily to show (as he always did) to those with, and for whom, he was acting, that his hands were pure—why *they* were only likely to cling to *him* still more closely for the abuse he received on their behalf. In both ways, therefore, their attacks militated against the attainment of such an object as we have assumed.

We have seen, however, from the evidence given before the committee, that there was not the shadow of a foundation for these atrocious attacks on Mr. O'Connor—whether we take his conduct with reference to the funds, to the formation of the Plan, or the manner in which it was laid before the public.

First, as to the Funds.—We have now the fact, under the authority of an eminent accountant, *appointed by the Chairman*, and verified by the more eminent actuary of the National Debt, that Mr. O'Connor, so far from having appropriated the money of the Company to his own use, has actually advanced several thousand pounds to carry on its operations. Sir B. Hall, who seems on this occasion to have been ready to strain at gnats and swallow camels, not content with the elucidation of this most important fact, attempted, in the pettifogging style of an Old Bailey attorney, to destroy its effect by a series of questions about some manuscript balance sheets which were not forthcoming. The reason why was soon told. No duplicates of those balance sheets had been prepared. The originals were sent to the printers and cut up into small slips to suit the convenience of the compositors. But the way in which Mr. Grey's balance sheet in favour of Mr. O'Connor was finally made up, was infinitely more honourable to him than if these originals had been forthcoming. The irregularity, as undoubtedly it must be called, of not having preserved the balance sheets, incidentally threw additional light upon the truly upright and honest way in which the funds had been dealt with. Mr. Grey, the accountant, verified the accuracy of the accounts, not by the balance sheets prepared by other parties in writing, but *from the original accounts themselves*. He found that the *printed balance sheets* and the

original accounts and books, "agree very nearly indeed with the amount credited to the company." On the other hand, the manner in which the books were kept, the accounts entered, and the money paid, precluded all possibility of collusion, or of the fabrication of books to meet the occasion. In fact, the complaint was, that more elaborate and complete books had not been kept from the commencement, but of the genuineness of those produced, and of the *bona fide* application of all sums received to the credit and for the purposes of the Company, there was not and cannot be the slightest doubt. Mr. O'Connor may forgive his enemies for having thus, however unwittingly, given the lie to the foul calumnies with which he has been assailed on this point, and for having shown, equally conclusively, that, in addition to this scrupulously honest management of the funds, and the advancement of a large sum of money to the Company, he has for years devoted his whole energies to the business of the Company without charging one farthing, either for personal services, or for any of the numerous expenses out of pocket which those services entailed upon him.

Second, as to the formation of the Plan.—The idea of the National Land Company was undoubtedly originated by Mr. O'Connor, but the evidence shows that the constitution of the Company, and the machinery by which its objects were sought to be effected, passed through several phases before they assumed their present shape. The proposition for the establishment of such a Company was first submitted to a National Convention of the Working Classes assembled in London in 1845, and approved of by them. That convention also discussed and sanctioned the plan as originally sent forth. At successive Conferences the difficulties, legal and practical, as they successively presented themselves, were fully discussed by the representatives of the working classes who took an interest in the question and the shareholders of the Company, and these discussions, with the grounds for them, were fully reported. Nothing was done in a corner. The fullest publicity was given to all its proceedings. The Company did not assume its present shape, or any of its previous forms, by the fiat of Mr. O'Connor or any other individual dictator: those who were inclined to embark in the plan, and who contributed to its funds, had the real control of all these matters and decided them according to the best of their judgment.

If there was any error, either of judgment or practice, in conducting them, or in taking any of the steps which were taken, those errors were not Mr. O'Connor's alone, but were participated in by all who concurred in taking the course which has been pursued by the Company.

The Select Committee of the House of Commons distinctly recognises this important fact in its report on the evidence, in its emphatic declaration as to the good faith in which all parties concerned have acted throughout.

There were no false pretences put forth to induce the working classes to put faith in Mr. O'Connor and the Land Plan. Whether that plan was right or wrong, it was fully and plainly set forth without either reservation or deception. Hosts of schemes are yearly spawned in this country by the teeming brains of speculators for individual profit and advantage, which the virtuous provincial and metropolitan journalists who assail Mr. O'Connor and the Land Plan, constantly give publicity to—"for a consideration." The most reckless, barefaced, and impudent swindles were advertised by them during the railway mania two or three years ago without one word of warning, although they knew that that publicity must lead to the robbery of the poor dupes who were misled by these deceptive announcements, and enable a set of rapacious and unprincipled harpies to fleece the public. But the high prices paid for advertisements stopped their "sweet voices," and lulled their virtuous consciences to sleep. The "still small voice" was so small that it could not be heard at all, and they were only re-awakened to consciousness of what was going on around them, when the funds began to run dry, and the bubble was on the point of bursting.

The National Land Company was certain to encounter the opposition of such traffickers as these journalists. It essayed honestly to emancipate the workers from the thralldom of the drones, and it did not spend any money in advertisements. Besides this, the parties for whom they wrote hated its original promoter with that fervent political antipathy which an extreme, a bold, and an unflinching course of opposition to their ascendancy was certain to engender. These are reasons quite sufficient to account for the determined hostility shown to the plan and its originator, as well as the atrocious calumnies to which they had recourse for purpose of destroying both.

How far was that hostility really justified by the construction and the probable results of the company?

Apart from the personal and pecuniary questions to which we have just referred, the two questions to be investigated and reported upon by the Select Committee, were, first, the *Legality* of the Plan; second, its *Practicability*. Mr. O'Connor and the Company have every reason to congratulate themselves that the Committee travelled out of the direct line of its duty, and constituted itself an audit committee on the financial management of the Land Company. But, we repeat, the two questions really referred to the Committee were those we have stated.

First, as to the **LEGALITY** of the Company as at present constituted. Its illegality was admitted by Mr. O'Connor and the shareholders as a starting point. It was because they knew it was illegal and wished to have it legalised that they applied to Parliament. But illegal conduct does not in this country always imply immoral or criminal conduct. Many of our law-made crimes are so purely conventional and geographical that the common sense of mankind either treats the law with contempt or honours those who break it.

Perhaps no more flagrant illustration of the oligarchical and monopolising nature of the whole of our legislation, and its deadly hostility to the interests of the working classes, can be adduced, than the laws respecting Joint Stock Companies in this country. They are expressly framed for the purpose of enabling capital alone to combine. Every possible obstruction that can be devised is put in the way of the union of small subscriptions for the purpose of enabling the industrial classes to improve their own condition thereby. An ingenious, and sometimes almost invisible, net-work of legislation is thrown around them by which all attempts at making a collective and united effort to escape from ceaseless and ill-requited toil is effectually prevented. If any working man does escape from the slave market, it must be as an individual, and under the necessity of joining the classes who live upon industry, to become in his turn one of those whose apparent interest it is to keep the working men down as a class.

Long experience has impressed us with a deep conviction that this is one of the most powerful obstacles to the permanent elevation and improvement of the labouring classes. For want of the security and protection which the law ought to give their honest and laudable efforts for improvement, they have been plundered by knavish officials against whom they had no remedy, they have been beset by legal difficulties which they could not overcome, and they have been

in their collective capacity an easy prey to knaves and fools, without the slightest power of protecting themselves. For them there was a suspension of all the rights of citizens, the law did not apply to them, they were outlaws—if not offenders.

The Friendly Societies' Acts, as they stood previous to the alterations referred to in the evidence given before the Committee, apparently by accident, did grant more legal protection to societies of working men than had ever before been known in the history of English legislation. The vast number of societies with various objects that hastened to avail themselves of that privilege, showed how highly it was esteemed and valued. But this very eagerness on their part called the attention of the dominant classes to the fact, that they had, somehow or other, inadvertently passed an Act which, indirectly, favoured the emancipation of industry, and it was forthwith altered. First a judge was got who pronounced a decision that had the effect of preventing the enrolment, not only of the National Land Company but of societies having somewhat similar objects in view, and then, taking advantage of the proposition to amend the act itself, the government proposed an alteration by which; in all doubtful cases, the power was taken out of the hands of the registrar, who had used it up to that time in a fair and liberal spirit, and put into those of the Attorney-General and Home Secretary for the time being. That was conclusive as to any future prospect of legal combination on the part of the working classes for the improvement of their condition by means of their collective capital and energies. The avenue which they had accidentally discovered, was closed up, and all trespassers warned off on pain of being "prosecuted according to law."

The history of the efforts made by the National Land Company to obtain the protection of the law, and the immense sum of money relatively to the share of each individual which those efforts cost, ought to make the government and the legislature, to whom the facts have been reported, hang their heads for shame. Year after year did Mr. O'Connor and the managers renew their attempts to legalise the Company. That seems from the evidence to have been their first and most earnest desire. Baffled in one direction they turned to another. A monster deed was prepared in order to comply with the requirements of the Joint Stock Companies' Acts. That deed was sent through the country

at an enormous expense, and, after costing a very large sum, was at length stopped in its peregrinations by the discovery that it was likely, before it could be completed, to entail an almost ruinous expense upon the Company.

The evidence proves, that, when the expense had been incurred, the Company would have been no more legalized after than before "Complete Registration." The certificate of Mr. Whitmarsh would not have protected it from the penalties of the Lottery Acts. In the tangled wilderness of English law there lurked in ambush a thousand enemies, ready to spring on the hunted Company, and, after having spent five or six thousand pounds in the attempt to avoid one legal trap, it might at any moment be pounced upon for not having complied with the demands of some other unheard-of statute.

If, therefore, the Company was and is not yet legal, that is owing, not to the fault of its promoters, but of the *law* which places so many unjust and disgraceful obstacles in the way of companies, with the most laudable objects, obtaining legal protection. As far as Mr. O'Connor and the directors were concerned, they showed no want of anxiety or of energy on the subject. They tried every existing method which seemed to them likely to secure that protection, and when they failed in these attempts they went to Parliament and asked for that which the existing law denied them. Surely that was not a proof of dishonesty on their part, nor did it betray any fear of submitting their plans and proceedings to the most strict investigation the legislature might choose to institute.

We may close this part of the subject in one sentence. If the Company is not legal it ought to be so. This we shall attempt to show in our observations on the second great question referred to the Select Committee, namely, the PRACTICABILITY of its plans.

These plans naturally fall to be considered under two heads—*First*, the practicability of the small farm system, on which the Company is based; and *Second*, the practicability of locating the shareholders on small farms within a reasonable time, by the means proposed by the Company.

With respect to the first, two witnesses were examined, Mr. Revans and Mr. Sillett, the one the opponent, the other the advocate of small farms. Let us look at the relative value of their evidence.

Mr. Revans is a great authority with a certain school of Political Economists in this country. He has been trained

up in a firm belief of the doctrines of Malthus as to population, and has a very unfeigned fear and dread of that bugbear which continually haunts other imaginations than his, namely, a "surplus population," in the shape of paupers, who, locust-like, devour the rental of lands, leaving nothing for squires and lords. Under the influence of this mania he and his patrons made a report, on the authority of which Parliament repealed the old Poor-Law of England, which distinctly recognised the right of every man either to employment or subsistence in his native land; and made a new law, which enacted that poverty was a crime, and made the administration of relief optional—under penal regulations and treatment. The same party have just introduced a Poor-Law into Ireland, which, so far, has been a mockery to the poor, and at the same time a galling burden to the owners of the soil. In both countries their legislation on economical subjects has utterly broken down, and falsified every expectation held out by them.

Mr. Revans, besides being secretary to the two commissions, on whose reports the new English and Irish Poor-Laws were passed, was also for several years an assistant Poor Law Commissioner, afterwards he went to Jersey, and, as he states, farmed on his own account for some years. He is now engaged by the Poor Law Board in enquiries as to the operation of the Law of Settlement, and in that capacity had his attention drawn to the plans of this Company.

Certainly a more extraordinary, and withal decided report than that of this eminent authority can scarcely be imagined. With a confidence and dogmatism which could only result from a deep-rooted conviction of the truth of his own opinions, he repeatedly asserted and maintained that the small farm system was a wasteful, extravagant, and pauper-creating system. The plan of the Land Company was a self-destroying one, and could never spread, but where it was put in operation it was sure to breed a succession of paupers; every family would certainly be pauperised in two years. They would be succeeded by other paupers of a similar kind, until the rental being entirely eaten up, the whole affair would come to a stand still. It was, he positively and repeatedly asserted, utterly impossible for a man to support his family and pay rent and taxes ON THREE ACRES OF THE BEST LAND IN ENGLAND: he must inevitably become a pauper.

This was certainly going the "whole hog with a vengeance," and some of the statements by which the assertion

was supported, were of an equally surprising character. He stated, that, wherever he went in the agricultural districts, he found the introduction of machinery and the extension of the large farm system called more agricultural labour into operation; that there was a great demand for, and a decided increase of, agricultural labour in consequence. When shown that the returns of the Registrar-General, and the tables of the last census, showed a decided diminution of agricultural labourers, he coolly replied, there must be an error in that computation. Any body may be mistaken, but it seems it is impossible for Pope Revans, the infallible and invaluable "friend, philosopher, and guide," of the Poor Law Board to be so! In one little point his evidence was rather inconsistent, and of itself calculated to excite suspicion as to the real value of this exceedingly bold decision of important points, on which, to say the least, many of the best informed men in this, and other countries, differ materially from Mr. Revans. On his first visit to the estates of the Land Company, Mr. Revans described the crops of the allottees as inferior to those of the surrounding farmers, and as certain to get worse in succeeding years. Deterioration of the land was, he said, certain to follow the cropping pursued on small farms, and the town-bred workmen, who were located on them, could not be expected to stand the weather and rough the work, like those who were brought up to agricultural labour. He described the allottees as being obliged to hire labourers to do their work for them in the cold spring days, while they crept for shelter in doors, and said the labourers spoke of them with a feeling of pity, as "poor things." Subsequently to this evidence, however, he heard that some members of the Committee had visited the very allotments he had thus described, and found them the very reverse of that description. They found luxuriant crops, far exceeding the average of those of the neighbouring farmers, and evidences not only of superior theoretical agricultural knowledge, but greater dexterity in the performance of manual agricultural labour among the allottees, than among the mere agricultural peasantry. Mr. Revans felt it necessary to pay another visit, and was then obliged to confess that his former opinions of the crops and the capabilities of town-bred people to become farmers were changed; though he still held to his statement that the small farm system must generate a succession of paupers, and that no man could live on three acres of the best land in England, and support a family and pay rent.

The next witness examined, triumphantly and conclusively overthrew the assumptions of the great authority who had been produced by the chairman to demonstrate the impracticability of the small farm system.

Mr. John Sillett's evidence was perfectly conclusive as to the utter worthlessness of the assertions of Mr. Revans. He stated, that having abandoned the business of draper, grocer, and general dealer, as carried on in small country towns, he had for the last five years applied himself solely to the cultivation of two acres of land, which he had purchased at a cost of 250*l.* without any house upon it. That he had performed all the labour himself, that he had only broken up one acre and a half of the pasture in which he originally found his land, and that from the produce of this land he had supported his family in comfort and abundance, and after allowing five per cent. for interest on his capital, and allowing also for all other outgoings, his clear money return last year was 5*l.* 10*s*!

It is almost superfluous to say more on this part of the subject. One well authenticated fact is worth a million of assertions, however confidently they may be made, or with whatever show of authority and plausibility they may be invested. As Mr. Sillett said, what he had done, any other honest and industrious man might also do.

But the practicability of the small farm system, as demonstrated by Mr. Sillett, does not rest upon his solitary testimony. This, the latest, and most striking proof of the capabilities of that system, is merely corroborative of a host of evidence to the same effect which may be found in the publications of the Labourer's Friend Society—in the accounts of Belgian and Tuscan Husbandry, in both of which countries the small farm system prevails—and in the statements of writers upon the condition of the Channel Islands, who appear to us to be fully as much entitled to credit as Mr. Revans.

The next aspect in which the practicability of the Plan had to be viewed, was as to the location of the shareholders within a reasonable time.

On this point much evidence, partaking of the nature of mere conjecture and guess work was given, and the most extravagant calculations were made, especially by the chairman and Sir B. Hall. The evidence of Mr. Finlaison, the actuary of the National Debt, was, however, the most conclusive on the subject, and the most worthy of notice. The chairman repeatedly sought by leading questions to draw

Mr. Finlaison into a statement that the Plan was essentially and necessarily impracticable in this respect, and that by no conceivable alteration could its objects ever be carried out. That gentleman, however, distinctly and repeatedly declared that he did not think the plan was impracticable with adequate capital and reasonable time to realise the objects of the Company. He admitted, that, in the existing shape of the Company, it was impracticable, but alterations might be made, by which ample security might be given to a public company for the advance of the requisite capital, and he suggested some of these alterations. He thought, in the first place, that such a company should be armed with the necessary powers to expel unproductive tenants in the usual way, and to protect themselves ; and that as 5 per cent. was a high return for capital, especially invested in land, if they contented themselves with a clear return of 4 per cent., the other 1 per cent. would be a sufficient guarantee against casual losses. If leases for ninety-nine years were granted to the holders of the land—the rent charge upon such leases, would, in his opinion, approach so nearly to a freehold in a pecuniary point of view, that the difference was inconsiderable. It would be equally valuable as a security to the parties lending, and would save a considerable amount of legal expenses in the conveyance of allotments to the holders, which is an important consideration.

With certain limitations and reservations, this was the essence of Mr. Finlaison's evidence ; and on this point also we may therefore fairly conclude that the plans of the Land Company were not shown to be impracticable ; but that, both with respect to the productive capabilities of the Small Farm System, and the abstract practicability of the proposition to locate a large number of allottees with an originally small contribution from each, the *principle of the Land Company* was decidedly demonstrated to be correct by the evidence taken by the Committee

The result was that the Committee virtually reported in favour of the Company in spite of all the influences which had been brought to bear upon it in the contrary direction. Their Report is in perfect accordance with the evidence, and that evidence, as we have shown, was mainly given by witnesses selected by the Chairman of the Committee for the purpose of condemning the plan altogether. We observe that some of the journals are furious at being thus, by implication, convicted as base and calumnious libellers, and are actually insinuating that the Committee was a partial

one. Such an accusation can only be made for the purpose of throwing dust in the eyes of the public, and hiding their own shame. Sir G. Grey, the Home Secretary, and Sir B. Hall, the *prosecutor* of Mr. O'Connor and the Company, took especial care to secure a committee, if not hostile to the Company, at least not prepossessed in its favour, and the Judge-Advocate, as its chairman, did all that a person occupying that influential position could do to induce the Committee to adopt his extreme and hostile views on the question. But the conspiracy against the character of Mr. O'Connor and the utility of the Company, utterly broke down. The straightforward and unreserved manner in which the whole of the transactions of the Company were laid before the Committee for inspection and scrutiny; the really solid foundation on which it is based; and, above all, the honesty which had characterized the management of its funds, and the good faith of all parties concerned, carried them triumphantly through the ordeal. It was a real victory for the working classes; perhaps one of the most important, and likely to be the most lasting in its consequences, of any achieved by Mr. O'Connor in his long career of public usefulness.

In order to realise fully all the fruits of the victory, however, it was necessary that the defects which had been pointed out by the prying eyes and practised intellects of the various government officials who were examined, should be immediately remedied, and the constitution of the Company altered so as to obviate these objections and bring it within the purview of the law. It is one of the advantages which this Committee has conferred upon the Company, that it clearly developed what were the nature of the legal objections to it, and thus pointed out the mode by which the Company could be constituted in accordance with the law. The Committee, with an evident leaning in favour of the Company if these mere technical objections could be removed, reported in favour of its being allowed to amend its plan and present it for the future sanction of Parliament; and thus, so far as the enquiry is concerned, does the Company stand at present in relation to the legislature.

Mr. O'Connor immediately applied himself to the consideration of the means by which the great and important objects of the Company could be attained in conformity with the law as laid down by these authorities, and the Company so constituted as to secure legislative sanction.

His plans for that purpose were published very shortly

after the close of the sittings of the committee in the *Northern Star* of the 12th of the month just closed. With one exception his propositions have received the sanction of the Directors, and are, as we have already said, now undergoing consideration by the shareholders. The exception to which we allude was a proposal that the price of allotments should be raised to 5*l.*, 7*l.* 10*s.*, and £10, instead of 2*l.* 12*s.*, 3*l.* 18*s.*, and 5*l.* 4*s.* We have no doubt that the imperative necessity of raising a larger capital in order to secure the speedy location of all the members was the inducement for Mr. O'Connor to propose this increase in the original price of shares, and, for our own part, we must say that it appears to us a reasonable and most judicious proposal. The Directors, however, urged upon Mr. O'Connor that its adoption would be a great hardship to many poor shareholders who had with great difficulty paid up their shares, and who had not the means to subscribe more. Mr. O'Connor was induced on that and other grounds to give up that part of his plan. The other portions we abstract from the article referred to.

Mr. O'Connor commences by stating, that the two monster illegalities relied upon by the Chairman and by Mr. Lawes the barrister—illegalities which he, in fact, admitted before any committee was formed, and to correct which he introduced his bill—are, 1st, the connection of the Bank with the Land Plan, which is a violation of the banking acts, 2nd, the ballot for allotments, which is a contravention of the several lottery acts.

The objection on account of the Bank he proposes to dispose of by separating it entirely from the Land Company. In this there will be no difficulty, a circular will be issued to every depositor, giving him the option of withdrawing his money, with interest up to the day of withdrawal, or to continue his deposit under the new arrangements that the Bank shall be wholly severed from the Land Company, and shall henceforth stand solely in Mr. O'Connor's name. Interest at the rate of four per cent will be paid half yearly on all deposits in the Bank, and no money will be advanced by Mr. O'Connor, except on the deposit of title deeds representing the sum advanced or vested in Exchequer Bills, or other good security.

That with respect to the Land Company, in order to disentangle the whole concern, he will, upon the adoption of his propositions with reference to its future management, make leases to the occupants of the several estates of the

Company, on a rental calculated at 4 per cent on the outlay, and will assign the whole of the property to three trustees, one to be nominated by Mr. O'Connor and the remaining two by the shareholders: Mr. O'Connor nominates Mr. Sharman Crawford. All future properties to be purchased in the names of these trustees. As far, therefore, as the objection on account of the illegality of the connexion between the Bank and the Land Company is concerned, the plan proposed will immediately get rid of that—and the appointment of trustees will, in an equally speedy and effectual manner, remove all suspicions which attach to the property of the Company standing, as it has necessarily done, in Mr. O'Connor's name.

With respect to the other legal objection, the ballot: it is proposed to abandon the ballot entirely, and also the Land Purchase Department. Mr. O'Connor proceeds then to state his other proposed alterations, which we subjoin in his own words. The substitute proposed, instead of the Ballot, is this:—

‘That when an estate is ready for location, instead of selecting members by the ballot, those locations—that is the right to occupancy—shall be divided by purchase amongst those paid up members thus:—I will presume a hundred allotments to be ready for location, and, instead of balloting for those amongst the shareholders, the paid up members henceforth shall bid for priority; and this mode of disposing of the Ballot, so far from injuring the poorer shareholders, or postponing their time of location, will, upon the contrary, hasten the event, and leave a large surplus upon the winding up of the affairs of the Company for every one of its members. And this is a portion of the subject to which I would especially draw their attention, namely—that the Company, as I now seek to constitute it, will be a Benefit Society and a Savings Bank for the funds of the poor, in truth and reality. And there is also another question to which I wish to draw the attention of the members, and it is this:—

‘That, if the Company is based upon those principles which I mean to submit, and if the property is vested in Trustees, the affairs could be carried on as successfully, as rapidly, and as securely, as if the Company were protected by a thousand Acts of Parliament. However, under its altered form—not altered in essence or in spirit—there will be no difficulty in securing legal protection. Now, the ballot we must get rid of—location by priority of pay-

‘ments would stop the receipt of funds altogether, and
 ‘would give the richer an advantage over the poorer mem-
 ‘bers, whereas location by purchase secures the most
 ‘favourable circumstances for the developement of our
 ‘future prospects, as well as the further means for securing
 ‘the location of the poorer members, and will also stamp the
 ‘properties of the Company with the best marketable value,
 ‘and thus release us from all difficulty as to mortgage
 ‘or sale.

‘The other alterations, which I submit to the consideration
 ‘of the several members, are as follow :—

‘That the title shall be a lease for any life the occupant
 ‘chooses to select, and ninety-nine years in reversion—that
 ‘is, that the occupant shall have a freehold and ninety-nine
 ‘years after the death of the person named in the lease.
 ‘This has been a matter much mooted, and the necessity
 ‘for the change will be seen at once when I tell you that
 ‘the expense of conveyance would average over 10*l.* a
 ‘man, while the expense of the lease that I propose will
 ‘not exceed 1*l.* 5*s.*; and I think that one life and
 ‘ninety-nine years after its expiration, will be just as good
 ‘a tenure as a lease for ever. However, the matter of
 ‘expense is one that cannot be lost sight of, especially
 ‘when you understand that the expense upon a hundred
 ‘conveyances alone would locate four more members upon
 ‘three acres each. The expense of Mr. Sillett’s convey-
 ‘ance of two acres was £14.

‘The next is, that every two-acre shareholder shall pay
 ‘twopence per week; every three-acre shareholder three-
 ‘pence; and every four-acre shareholder fourpence; as a
 ‘Reserve Fund, out of which aid money shall be paid, and
 ‘which will revert to the members upon the winding up of
 ‘the affairs of the Company.

‘The next is, that the occupants, after the first three
 ‘years, shall commence to repay the aid money, in such
 ‘half-yearly instalments as will not distress them, and, ac-
 ‘cording to the repayment of those instalments, the rent
 ‘will become reduced—thus discharging the land of the
 ‘Company from an incumbrance that may be considered
 ‘capricious, and, at the same time, securing the earlier
 ‘benefit to those who had subscribed to it in the first
 ‘instance.

‘The next is, the reduction of rent from five to four per
 ‘cent. upon the outlay. These are the several alterations
 ‘necessary, therefore:—

1. To bring the Land Plan within the protection of the law, and—

‘ 2. To secure its safer and more speedy working.

‘ And in order to separate the chaff from the corn, and to drive the vermin from amongst us, who merely joined for the purpose of hampering and annoying us, I submit to the further consideration of the members, the absolute necessity of winding up the affairs of the Company, as far as concerns the vermin, by passing a resolution, that all who shall not have paid up two-thirds of the amount payable upon the shares, on the 29th of September, 1849, shall be paid off and driven from amongst us. This step you will see is absolutely necessary to secure the peace, the well-being, and safe working of the Company. Every alteration that is now proposed will tend to the security and speedy location of the members of the Company. As this Company has been established for the benefit of the members, and not for the profit of the promoters, I, in common with the other Directors, have felt it to be our imperative duty to call as extensive a representation of the members together as possible, and as speedily as possible, and as that object can be better effected by consultation with all who wish to take a part in the proceedings, we have considered that that object will be best effected by calling immediate district meetings in the several localities most convenient to the shareholders, and at which the Directors can attend. And here I will recapitulate the the several propositions to be submitted :—

‘ 1. The propriety of substituting location by bonus, instead of by ballot—not that the occupant so located is to purchase the land and house, but that he is to pay, according to his will, a certain amount for being located without the ballot.

‘ 2. The propriety of requiring repayment of the aid money in half-yearly instalments, after three years’ occupation.

‘ 3. The propriety of abolishing the Expense Fund, and substituting an Aid Fund, at the rate of twopence per week for two-acre allotments, threepence for three-acre members, and fourpence for four-acre members.

‘ 4. The necessity of winding up the affairs of the Company as far the refractory are concerned.

‘ 5. Whether the affairs of the Company shall be wound up.

‘ 6. Whether it is prudent to substitute a lease for a life and ninety-nine years in reversion, which will cost about 1*l.* 5*s.*, for a conveyance in fee, which will cost over 10*l.*

‘ 7. The nomination of trustees, to whom the several estates purchased shall be assigned, and in whose names all future estates shall be purchased.

‘ *8th and last.* Whether the rents shall be reduced to 4 per cent. upon the outlay.

‘ Now such are the propositions upon which the several districts will have to decide. They are wholly free to act, and in the event of their acquiescence in these propositions, I shall be quite ready to continue my unpaid services; all the monies being thenceforth paid to the credit of the trustees.’

Mr. O'Connor then proceeds to examine the calculations of Messrs. Grey and Finlaison, as to the period within which a given number of persons could be located, and shows the fallacy of these calculations; but it is not requisite for our present purpose to enter into that part of the subject. The rapidity of the location will mainly depend on the Plan receiving legal sanction, and the manner in which the shareholders pay up their subscriptions. Practically, that matter rests in their own hands. We have, therefore, confined our extracts from Mr. O'Connor's elaborate article, entirely to the propositions by which he hopes so to remould the Company as to ensure that legal security and sanction, which is so necessary for its protection and future progress.

Having thus disposed of the questions more immediately bearing on the past business transactions of the Land Company, and the means by which the desirable and important object of legalizing its future proceedings is proposed to be attained, it may not be an inappropriate conclusion to these remarks, if we offer a few observations on the social and political aspect of the Plan as a remedy of existing national distress.

The real government of this country has been for a great number of years in the hands of the disciples of Malthus and Dr. Adam Smith, and under their auspices an industrial and commercial system has grown up of the most unsound and vicious description. The energies of the country have been turned into wrong channels, and the great bulk of the population made dependent on the demand in foreign markets for manufactured goods, instead of being employed in the production of the first necessities of life.

The "Manchester School," as Mr. D'Israeli calls the party headed by Mr. Cobden, have, of late years, exerted themselves vigorously to extend the sphere and operations of this system. The great object of all their efforts has been to find out new markets abroad, and to render the industrial classes still more dependent on them for work and food. It appears, however, to have escaped the attention of this party, that there were natural and political agencies at work, which must inevitably counteract their efforts, contract the number of profitable markets, and increase the number of competitors in these markets.

It is natural and proper for every nation to develop to the utmost the industry of its population and its territorial capabilities. Commerce and manufactures are as necessary phases of society as the pastoral, hunting, and purely agricultural stages which precede them. To suppose that we should be allowed to maintain exclusive and undisturbed possession of the new productive machinery invented by modern science, was ridiculous; and has been shown conclusively to be so by the industrial history of every nation, especially during the last quarter of a century.

Our old and near customers on the continent of Europe have gradually acquired the power of supplying themselves with many things which they were obliged to take from us at the commencement of the present century. Some of them, besides attaining this point, go farther and manufacture goods which not only compete successfully with ours in neutral markets, but are actually imported into our own markets and drive out the articles of the home manufacturer. The same thing has been going on in the United States of North America; year by year their manufacturing capabilities have been developed and their machinery augmented, and there is every probability, that, in the course of a comparatively short period, they will beat us in every market in the world; they have possession of natural and political advantages against which it is impossible for us to maintain our ground in the long run.

The attempts to open new markets by successive free trade measures, have so far proved a melancholy and complete failure. But, even were we to succeed in doing so to the utmost extent the advocates of that policy anticipate, we must ask if we could keep exclusive possession of these

markets? Our young rival, with all its gigantic energies fresh and unencumbered, would enter them along with us. On fashionable free trade principles it would have a right to do so, and it would beat us.

Having considered this subject very carefully, and with an anxious desire to ascertain the truth, we have come to the conclusion that the manufacturing system of Great Britain has culminated. The new circumstances that have grown up around us have totally altered our mercantile and manufacturing relations to other countries. It will be impossible in future, by our present arrangements, to ensure work and wages to the operatives in the manufacturing districts. Fitful and brief glimpses of prosperity may occasionally brighten the darkness, but the time has come when it is necessary to look at our position calmly and carefully, and alter our industrial arrangements in such a way as to avert the evils which must inevitably result from blindly pursuing our present course.

We look forward to the decline and ultimate extinction of the manufacturing system without fear or regret; the pulse of the nation has beaten feverishly during the whole of its existence; the delirium of a paroxysm, or the feebleness of a collapse, have followed each other in succession, and the sooner the country is saved from such alternations the better.

But the millions who now depend on that system for subsistence, must be provided for in time by some other means. In order to do this, we believe that our past policy must be reversed, and that, instead of looking to foreign markets for salvation, we must create, develop, and sustain a good HOME MARKET.

The Plan of the Land Company aims at accomplishing this great and important object. Instead of employing a large portion of our population in the production of articles for which there may be either no market at all, or, if sold, it must be at prices which do not remunerate the labourer, the promoters of the Land Company propose to employ those for whom the present system fails to provide work and wages, in producing the first articles of human subsistence, and in adding to the raw material on which manufacturing industry may be afterwards applied. A man who has been employed in working up a bag of American cotton into shirts to be worn at Sierra Leone, is by no means in so good a position, or so useful a

labourer, as the man who has produced out of English land—*his own farm*—corn, potatoes, vegetables, pork, and butter, to be carried to the nearest market and there sold for the subsistence of his neighbours, after he has first deducted what is requisite for the comfortable and healthy maintenance of himself and family.

In the evidence of Mr. Revans, and, indeed, throughout the whole of the examination, it seems to have been taken for granted that the allottees were necessarily to be strictly confined to agricultural labour alone. This is not the case. In Norway, where one man in every twenty-two is a landed proprietor, and the estates are very small, we find that agriculture and manufactures are carried on conjointly. The whole nation, according to the testimony of Mr. Laing—one of the best informed travellers—are well lodged, well fed, and well clothed in their household manufactures. Leisure and peace of mind are largely enjoyed by them, and the feverish excitement which pervades English society under the reign of the Economists is unknown. Mr. Laing says:—

“ They farm, not to raise produce for sale, so much as to grow every thing they eat, drink, and wear in their own families. They build their own houses, make their own chairs, tables, ploughs, carts, harness, iron work, basket and wood work, in short, except window glass, cast iron ware, and pottery, everything about their houses is of their own fabrication. There is not, probably in Europe, so great a population in so happy a condition as these Norwegian Yeomanry.”

Now, although the allottees of the Land Company have their houses built for them by the Company in the first instance, yet the principle of self-support and domestic manufactures, so described by Mr. Laing to produce such happy results in Norway, would, if applied here, be generally beneficial. Every allottee's dwelling, during the long nights, and the wet unworkable days of winter, may become a cheerful scene of in-door industry. A tailor or a shoemaker will not lose the “cunning of their right hands,” because they have learned in addition how to handle a spade. The new position in which the occupants of these small farms will be placed, will, no doubt, gradually develope new relations—conjoined with individuality of possession, co-operation of labour for general purposes and general benefit will spontaneously grow up among them, and the whole being in

possession, in the first instance, of the power of supplying the first most essential wants of our nature—there would be a lasting and solid foundation laid for national prosperity.

Such, we understand the object of the Land Company to be. It aims at uniting the character of capitalist and labourer in the same person, and to emancipate labour from the shackles of commercial feudalism, and place it in a position to act independently. In the pursuit of this most important and most righteous object, no doubt errors may be committed, in consequence of inexperience—unexpected obstructions and unforeseen difficulties may arise in the progress towards the goal. But these are the natural incidents to all great undertakings, and they can always be surmounted by union and increased knowledge, arising from increased experience. It is a just, a holy, and an all-important object, and success will confer the highest and the purest blessings on all classes of society.

That success can only be obtained by the working classes of this country rallying round the standard now erected. If they are true to themselves, their leader will not desert them. It only requires that they should imitate him in zeal, perseverance, and determination, and that, to the fullest extent of their pecuniary means, they should supply him with the appliances for realising the object.

We cannot, conclude our labours better than by quoting the following passages from the article we have already referred to, addressed to the shareholders, as showing what effect past difficulties have had upon Mr. O'Connor's own mind, with respect to the Plan itself, and the spirit in which he devotes himself to the future prosecution of this gigantic undertaking.

‘ If my propositions are acquiesced in, I am satisfied to
 ‘ put every single farthing of my own money and property
 ‘ into this concern, living upon one meal a day; and in
 ‘ the seven years I estimate that I shall be able to put twenty
 ‘ thousand pounds into the concern, not calculating a single
 ‘ farthing for my expenses; and if I do not locate every man
 ‘ of the 70,000 within the seven years, I will relinquish my
 ‘ claim to any money that is due to me, or that may be due
 ‘ to me, at the end of that period; and I will work like a
 ‘ horse. I will not spend £10 in the seven years upon any-
 ‘ thing but this Land Company. I will not ask to handle a
 ‘ farthing of the money. I will work like a horse, and show
 ‘ you what energy, perseverance, philanthropy, and vanity

' may accomplish. The greatest friends to this Company
 ' have been the Judge-Advocate-General and Sir B. Hall,
 ' but they little knew the effect the suspicion of rogues can
 ' have upon a proud man. My whole desire, and the whole
 ' desire of my life, has been to ameliorate the condi-
 ' tion of the working classes by fair and honourable
 ' means; and God knows, if I have not evinced sufficient
 ' energy and perseverance in the pursuit—if I have not
 ' borne calumny and insult, as well from those I have en-
 ' deavoured to serve, as from those to whom my services
 ' are gall and wormwood, that would turn a bold man from
 ' his undertaking. But when I set myself a task, I am not
 ' easily turned out of my course. Should any doubt the
 ' result that I calculate, the experiment is worth the trial—
 ' it is a Benefit Society upon a national scale, and, as long
 ' as I live, none shall make merchandise of it, so that,
 ' should it fail for want of their confidence, their abstinence
 ' and support, the worst that can happen is to receive their
 ' contributions back again, and they will have but themselves
 ' to blame for perpetuating their own ruin. The funds of
 ' all other societies have been gobbled up by vultures, who
 ' have never been called to account for their plunder. Your
 ' funds have not been pocketed by any one, and shall not
 ' be, and if I should make my escape to America, as your
 ' friends predicted, I cannot take the houses and land upon
 ' my back, while I would be the largest claimant upon
 ' them; but I ask neither mortgage nor security for my
 ' money, while the best security that you can have, is the
 ' assurance that yours shall be economically expended. If
 ' I commenced with what you owe me now, in purchasing
 ' land in the wholesale, and selling in the retail, market,
 ' in the course of ten years I should be one of the richest
 ' men in England, and, as soon as our funds warrant it, I
 ' will set £10,000 of the Bank money apart for speculation
 ' in that market, and you will then see the amount of pro-
 ' perty that I can realise in seven years from that source,
 ' one half of which I will give to the Land Company, and
 ' the other half as bonus to the depositors.

' Now, my friends, trusting that you will give the several
 ' propositions submitted to you your cool, calm, and de-
 ' liberate consideration, and that you will not allow your-
 ' selves to waver in allegiance to your order; but seeing that
 ' you have not been duped, juggled, or cheated, it is now
 ' my earnest prayer, appeal, and entreaty to you, that you

' will revive our monster, and avenge the insult that has been
 ' offered to you as fools and to me as a plunderer of the
 ' poor man's fund. Heed not the Press, it is your bitterest
 ' enemy, it is the caterer for the lust and cupidity of your
 ' task-masters; cast off the mantle of slavery; purchase
 ' your freedom by temperance, perseverance, and con-
 ' fidence, and, believe me, from your improved social
 ' position will arise that political emancipation and grandeur
 ' which may defy the oppressor, and you can thus purchase
 ' your liberty without the shedding of a drop of human
 ' blood. A word and I have done. Place the requisite
 ' means at my disposal, and while I am going on with my
 ' operations I will thin the artificial labour market by em-
 ' ploying thousands who are now destitute, and constituting
 ' an idle reserve to enable capitalists to live and make for-
 ' tunes upon reduction of wages.'

M'GOWAN & CO.,
GREAT WINDMILL STREET,
LONDON.

MIRABEAU.

In the year 1781, a serious altercation was going on in France, within the bosom of a certain family, between a father and an uncle. The subject of it was a young man with whom they did not well know what to do. This person, already passed the first ardent phases of youth, and steeped in the mad follies of the age of passion,—plunged in debt,—separated from his own wife and connected with another man's,—condemned to death and beheaded in effigy for his crimes,—had fled France, and returned to it a prisoner, corrected and repentant, willing to amend, to take back his wife, and return to the bosom of his family. The father wished much for this arrangement, eagerly longing for grandchildren, who might perpetuate the family name and honours, and hoping to be more happy as a grandfather than he had been as a father. But the “infant,” his own son, was now about thirty-three years old, and he had to reform him entirely! A most difficult work, truly! Once restored to society, into whose hands was he to confide him? Who was to undertake the task of straightening the crooked back of such a character? Out of these considerations arose the controversy between these two old men, the father and the uncle. The father wished to give him to the uncle; the uncle would rather leave him with his own father.

“Take him,” said the father.

“I won't,” answered the uncle.

“First set it down as a fact,” rejoined the father, “that this man is nothing, absolutely nothing. He has the devil's own wit, but it is always placid like the eyes of a hare. He is a child-parrot, an ABORTIVE MAN, acquainted with neither the possible nor the impossible, with neither uneasiness nor convenience, pleasure nor pain, action nor repose. When I look before me, I see perhaps as far as anybody else; and yet, notwithstanding his HORRIBLE UGLINESS, his irregular gait, his peremp-

tory precipitation, his swollen and bloated person, and his atrocious look, or rather frown, when he listens and reflects, something tells me that he is not more dangerous than a stuffed image to frighten away birds; that the sternness with which he has contrived to surround his person, his reputation, and his mighty deeds, is nothing but smoke; and that, at bottom, there is no man in the kingdom less capable than himself of committing a pre-meditated act of wickedness."

These explanations, however, did not satisfy the uncle. "No!" he replied, "I will not take this wild chicken of yours to tame. My nerves are not covered with velvet, like yours; and I am no longer at an age or taste to take the impossible by the collar, at the cost of my quiet—perhaps of my life."

The father insisted. "Have pity on thy HURRICANE-nephew," he said; "he acknowledges, and with good reason, that the intellect and talent he employed in committing his follies are surprising; he admits this like all the rest, for he is the greatest confessor of faults in the universe. It is impossible to possess greater intelligence and facility. With every attribute, or nearly so, of the sky-rocket, he is A THUNDERBOLT OF LABOUR AND EXPEDITION. Example, knowledge, and superiority correct him of themselves; but HE HAS AN IMMENSE WANT OF BEING GOVERNED, and he feels it too. He knows that he owes his return to you; he knows that you have always been pilot and compass to me, and that you must be the same to him; and he puts his vanity in his uncle. I TELL YOU HE IS A RARE SUBJECT FOR THE FUTURE. You have all the Saturn necessary for his Mercury. But if once you hold him, do not let him go: should he even perform miracles, keep your hold of him, and pull him by the sleeve, for the poor devil requires it. If you act as a father to him, he will satisfy you; but if you act ONLY AS AN UNCLE, he is a lost man. Love this young man thus EMBRAMBLED against hope. You are *omni spes et fortuna nostri nominis*, as Hannibal said to his brother. Probe his heart, and raise his head. Let him know that under your long and cold features dwells the best man that ever lived—ONE MADE OF THE FILINGS OF ANGELS. Make him love you, and he will become a great man; it is you who will strike him with the thunder of Saint Paul."

"I will not have him," steadily replied the uncle. "What could I do with him? A man perpetually out at elbows, as credulous as a nurse, a liar by exaggeration, affirmation, and impudence, without necessity, for the mere sake of story-telling? I tell you I will not have him."

The father still persevered. "Oh! brother of mine (he said), if this disjointed being can be sewn together again, it can be done only by you; and as he is to be cut out afresh, I cannot get a better pattern to do it by than yourself. Moreover, he is neither a father nor an uncle, and he will respect you more than he does anybody else. You must be kind and firm with him; and you will thereby become his saviour, and make him your masterpiece of workmanship."

The uncle was a peremptory man, and was now getting angry with the importunity of the father. "It is of no use urging me," said he, "I will not have him. If, at thirty-two years of age, he requires to be ridden with a curbed rein, his understanding will never ripen, and we shall both be destroyed by your persevering in your own notions, which have occasioned all the misfortunes that have befallen you. These are numberless, because Providence has blown upon your plans and projects, and, in the eyes of Providence, all that man performs is mere castle-building with cards. If the young man is not fit to be brought into the world, at his age, if he is not sufficiently master of himself to avoid running against a post, it is madness to attempt making anything of him. Your only way is to send him at once AMONG THE INSURGENTS TO HAVE HIS HEAD BROKEN, or else to acquire a new disposition."

Now, this domestic correspondence and quarrel is no imaginary scene, drawn from the pages of a comedy or a romance, but a real occurrence, and the extracts are taken from the genuine letters of those two old men, published in France and in this country. The father, in this scene, is Victor de Riquetti, Marquis de Mirabeau; the uncle is Jean Antoine de Mirabeau, Balli-commander of the Order of Malta; and the "rogue of a nephew" is Honoré Gabrielle de Riquetti, whom his family styled "the Hurricane," in 1781, and whom the world now knows by the name of MIRABEAU.

Thus, an "abortion of a man," a disjointed creature,

a subject of whom "nothing could be made," a head "fit only for being cut off by the insurgents," a criminal pursued by justice, a plague and pest to everybody—such was Mirabeau in the estimation of his family in 1781. Let us suddenly change the scene to a period ten years later than the above family controversy.

It was on the 1st of April, 1791, that an immense crowd had assembled and surrounded a certain house in a street in Paris, known by the name of the *Chausée d'Antin*. This crowd was dull, silent, dismayed, and profoundly sad. There lay in that house a man upon his deathbed. The people crowded the street, the court, the staircase, the very ante-chamber. Multitudes resorted thither during the three days of the illness of that man. They spoke in whispers; they almost seemed afraid to breathe; they anxiously interrogated all who came and went. This crowd was to that man what a mother is to her child.

The physicians had no hope. From time to time, bulletins, snatched by a thousand greedy hands, were distributed among the multitude; and as the dismal intelligence spread, the sobs and cries of women were heard. One young man, desperate with grief, eagerly offered to open an artery and infuse his own rich blood into the exhausted veins of the dying man. All, even the least intelligent of that crowd, seemed overwhelmed by the thought that it was not only a man, but a people, that was about to die.

At length the man died! It was only a few minutes after the physician who stood by his pillow had announced "He is dead," when the President of the National Assembly, then sitting, rose from his seat and said, "He is dead!" The fatal cry had in a few seconds run throughout the whole of Paris.

The National Assembly decreed to this man honours which had never been granted before. All the members attended his funeral. The church of Saint Geneviève was appropriated to the reception of his remains. The people crowded about them as they were borne to their last resting-place, for the space of more than a league; and the whole nation was thrown into mourning.

Will it be believed that this man was MIRABEAU—the same who, ten years before, had been thought the "abor-

tion," the "rogue," "the hurricane," of the ancient family of that name? How different, indeed, is the Mirabeau as judged by his family, and the Mirabeau as judged by the nation of France! And an extraordinary subject for investigation it is how the demon of a family should, in the short space of ten years, come to be considered as the MAN-GOD of a mighty nation!

The early life of Mirabeau pointed him out as a person likely to become a singular if not a great character. At the period of his coming into the world, the immense size of the child's head placed the mother in extreme danger. He was born with one foot twisted, and his tongue tied down by the frenum or cord. His size and strength were extraordinary, and already were two teeth formed in his jaw. Shortly after, his father says of him: "I have nothing to say about my enormous son, only that he beats his nurse, who does not fail to return it, and THEY TRY WHICH SHALL STRIKE THE HARDEST. They are good heads together." When three years old, he had the confluent small-pox, of a very malignant type. This disease, from gross ill-treatment, left hideous scars upon his face. The father, writing of him to the uncle, afterwards, said: "YOUR NEPHEW IS AS UGLY AS THE NEPHEW OF SATAN."

The extraordinary mental faculties of the child were soon apparent. He was curious, inquisitive, and extraordinarily fond of reading—and this as early as at four years old. His father, the marquis, speaks of him, at this age, as one who would "MAKE THAT RACE OF PYGMIES TREMBLE BEFORE HIM, WHO PLAY THE GREAT MEN AT COURT." The child became an indefatigable scribbler, and wrote many things greatly beyond his years. At the age of seven, he was confirmed at Brignon, by a cardinal. At the grand supper which followed the ceremony, it was explained to the child that God could not make contradictions, as, for instance, a stick that had but one end. "IS NOT A MIRACLE A STICK WHICH HAS BUT ONE END?" asked the young sceptic! About this time his father writes: "My son, whose body grows, whose talkativeness increases, and whose countenance becomes wonderfully ugly, is also AS UGLY IN HIS INQUIRIES AND PREDILECTIONS, AND A TROUBLESOME TALKER TO BOOT." His mother once reproached him with talking too much,

and seeking to be thought clever. "Mamma!" said he, "I think the mind is like the hand; BE IT HANDSOME OR UGLY, IT IS MADE FOR USE, AND NOT FOR SHOW." When the boy was about eleven years old, he gained a prize of a hat at running; when, turning to an old man who wore a cap, and putting upon the old man's head his own hat, which was still good,— "Here," said he, "take this; I have not two heads." At twelve years, his father says of him: "He has an elevated mind under the frock of a babe. He is AN EMBRYO OF A BLOATED BULLY WHO WILL EAT EVERY MAN ALIVE BEFORE HE IS TWELVE YEARS OLD." Again, he says: "He is a type deeply stamped in meanness, and absolute baseness, and of that rough and dirty quality of the caterpillar, which cannot be rubbed off." "He is a nothing set off with trifles, which will excite the admiration of silly gossips, but will never be anything but the fourth part of a man, if perchance he becomes anything." That a father should thus talk of his own child of twelve years of age, is exceedingly gross and barbarous, to say the least of it.

His father, after this period, began to treat the boy with great harshness and cruelty; notwithstanding which he grew rapidly in knowledge, spirit, and strength. He placed him under a new master, whom he selected for his sternness, and the severity of his punishments, of which the marquis told him "not to be sparing." He was also entered to his new master under a name not his own, which the boy felt as a humiliation and disgrace. Yet the boy studied on at a great rate—mastering the dead languages, together with English, German, Spanish, and Italian. He applied himself passionately to mathematics, drawing, music, dancing, and all youthful exercises, in which he greatly excelled.

The hatred of the father towards the boy nevertheless went on steadily increasing, until at length he seemed to hate him with a perfect hatred. The fearlessness of the boy's nature nevertheless manifested itself on every occasion. Once, it is said, the Prince of Conti, surprised at the bold expression of the child's countenance, said to him—"What would you do if I were to box your ears?" when Mirabeau is reported to have answered—"The question would have puzzled me BEFORE THE INVENTION OF DOUBLE-BARRELLED PISTOLS!" At sixteen, he was

sent into the army by his father, under a commanding officer celebrated for his harsh and cruel discipline. The father wanted to break the young man's spirit. On every slight occasion, his father acted the part of the tyrant towards him. He got him cast into prison, because of his having fallen in love with a girl and promised marriage to her. The father calls him a "wretch," and proposes to transport him to the Dutch colonies. He is denounced as a "rascal who possesses Satan's power of intrigue, and has the wit of a demon:" again—"The wretch would foil the devil, and has a score in his body." At length the young man was liberated from jail, and served for a short time with the army in the isle of Corsica. When he returned, at the age of twenty-one, he commenced to write a history of that country, which his cruel father even characterises as a "bold and spirited work." About this time he called upon his uncle, who says—"Though ugly, I found he had not a bad countenance; for behind the ravages made by the small-pox, he has something intellectual, graceful, and noble. If he be not worse than Nero, he is sure to be better than Marcus Aurelius." The father, in corresponding with the uncle, calls him "that BACK-BONE OF A WOLF:" the uncle responding, addresses him as "COUNT WHIRLWIND!"

At twenty-two, he was introduced at the French court. The Princess Elizabeth inquired of him "if he had been inoculated?" The court laughed. No! he had not been inoculated: he carried within him a virus which somewhat later inoculated a whole people.

At twenty-three Mirabeau got married; but soon after his father commenced the same cruel system of treatment with him as before. He got him thrown into a dungeon in the castle of If. Here he fell in love with Sophie, the wife of the Marquis de Mounier, and, after long strugglings, and the neglect of his own wife, he eloped with her. The fugitives were pursued through Switzerland, Savoy, and afterwards reached Holland, where Mirabeau supported himself by literary labour. At length their retreat was discovered by the inexorable Marquis; and, by means of a *lettre de cachet*, Mirabeau was arrested and carried back to a dungeon in France—the donjon of Vincennes. There he lay for a long while; and during that time the correspondence occurred, with which we introduced the subject of this paper.

"At the age of three years," says Mirabeau himself, "I preached; at six, I was a prodigy; at twelve, an object of great hope; at twenty, a fireship; at thirty, a political theorist; and at forty, I am no more than a good man." At forty, Mirabeau was a GREAT man. He was the leading man of the Revolution. It was he who, silent till then, cried aloud on the 23rd of June, 1789, to M. de Brege—"Go tell your master"—"YOUR MASTER!" It was the King of France who was thus declared a stranger in his own kingdom! Here was the line drawn between the throne and the people. It was Revolution which spoke in this cry. No one DARED to have done it save Mirabeau. It belongs only to great men to utter decisive words at great crises.

Mirabeau lived in an epoch of great events—when society was heaving with the throes of the coming earthquake. He was himself a type of the time in which he lived—physically ugly and deformed—with a warm and enthusiastic temperament, but with feelings crushed and perverted—the victim of severe social and domestic tyranny—with great mental powers strung into activity by reproach, contumely, and oppression,—such was Mirabeau, and such was the nation of which he was the idol and the deity, in 1791.

During his entire life, no man was more completely disowned and rejected of men than this same Mirabeau. When he arrived in Paris as a deputy from Aix, to the States-General, he excited no one's jealousy. Obscure and of bad character, men of honour and reputation took no notice of him: ugly and ill-formed, gentlemen of good exterior and respectable mien pitied the poor "wretch." His nobility was hid under his black garb; his countenance was concealed by the ugly blurs and pits of the small-pox. Who would ever have dreamt of being jealous of this low adventurer, this loosed jail-bird, deformed in person and countenance, besides being utterly exhausted in resources—whom the little people of Aix had sent as their deputy to the States-General in a moment of enthusiasm, and of course without at all knowing why? This man, in truth, was reckoned as NOTHING. He was indeed a cypher who was taken into no one's calculations.

By degrees, however, as the twilight of all old things came on, and the shadows began to darken around the monarchy and the constitution of France, the great

men of the Revolution became visible to the eye, and Mirabeau soon shone out as one of the most conspicuous and brilliant among them.

But envy at once set to work to obscure the rising star of Mirabeau. Mirabeau spoke, and the world applauded, and called him an orator. "An orator indeed!" exclaimed the envious around him. "An orator must be irreproachable in character—M. Mirabeau's whole character is a blot! An orator must be good-looking—M. Mirabeau is as ugly as sin! An orator must have an agreeable voice—M. Mirabeau has a harsh, dry, screeching voice, speaking a great deal and saying nothing! An orator must have the goodwill of his audience—M. Mirabeau is hated by the whole Assembly!" And so, a crowd of little people, greatly contented with themselves, comfortably concluded, "M. Mirabeau is certainly no orator!"

And truly enough, he was "no orator" according to ordinary rules; he did not follow the customs of the schools, or the examples of the formalists. But he was an orator for all that—aye, and a great orator too. He was an orator by nature and organization, and he was made so by the events of his soul-harrowing life. He was an orator because he was HATED, as Cicero had been because he was loved. He was an orator because he was ugly, as Hortensius because he was beautiful. He was an orator because he had suffered—because he had failed—because, at the age when the heart expands and seeks sympathy and intercourse with others, he had been repulsed, mocked, humiliated, despised, defamed, hunted, plundered, outlawed, exiled, imprisoned, condemned—because, like the people of 1789, of whom he was the type and symbol, he had been held in minority and tutelage long beyond the age of manhood—because paternity had been as cruel to him as royal fatherhood had been to the people—because, like that people, he had been ill brought up—because, like that people, a bad education had caused a vice to grow up from the root of every virtue. He was an orator, because he was enabled to pour out upon society the boiling thoughts and feelings which had so long been pent up within his own seething brain, or expended on the members of his own family, who had given to them a being and an impulse.

Mirabeau was no chamber orator—he was not a man to please courts—silken phrases were not for him. He had a coarse, harsh, indignant voice: but the times of mild speaking had passed. He almost shrieked; so did the people of France. He was the embodiment of indignant passion, vituperation, and reproach—a feeling alike common to himself and the multitude without. Before and after, and during his speeches in the Assembly, the loud applause was mixed up and confused with hootings, and laughter, and groanings. He was always met by a tempest. He had to struggle against the foaming surges that he raised. Mirabeau had no rule in his speech: he was a man of sudden impulse, of sudden illumination, of bold propositions, of original and new forms of thought and expression. Fiery, impetuous, and hasty, his whole nature seemed in tumultuous conflict while he spoke. He tore along, overthrowing, wounding, slaying, and destroying, ill heard by the Assembly he addressed, but spurred on by the gratification of his own passions, and the applause of the people who crowded the tribunes. The Assembly might hiss and whistle; but they might as well have whistled to the winds—Mirabeau still thundered on: and that his blows at length told, the proofs are to be found in the monarchy which fell, and the republic which subsequently arose upon its ruins!

During the whole time that Mirabeau appeared before the public, was he reviled, insulted, and abused. Just as in his youth his father had reproached him, as one who, “presuming on his own resources, had no more nerve than a slug, and no more energy of mind than a bill-sticker;” so did almost all the public men of the time of Mirabeau combine to set him down as only a vulgar-minded spouter, unworthy of being listened to by learned and polite men. They compared him with Barnave, to his infinite detraction. Once, while Mirabeau was speaking, M. de Guillermy called out—“**M. MIRABEAU IS A VILLAIN—AN ASSASSIN.**” Another time, a member cried “**This Mirabeau is only a BIG BEGGARMAN!**” (An old word revived now-a-days, it would seem!) And when hate could say no more, spite spoke—“**LITTLE Mirabeau,**” cried a member from the right. “**EXTRA-VAGANT,**” ejaculated M. Lapoule from the left. “**WORTHLESSTHING,**” muttered Robespierre from between his teeth.

The press also attempted to tear him to pieces with a strange kind of fury. A whole whirlwind of pamphlets was directed against the man. The extreme of both parties in the state put him in the same pillory. One writer said, "This Mirabeau has got THE SMALL-POX IN HIS SOUL." M. de Lambese proposed to send him to the galleys. MARAT wrote thus: "Erect eight hundred gallows: hang thereon all traitors, and at their head the infamous Riquetti de Mirabeau!" Mirabeau said of this: "It is only the paragraph of a drunken man!" And yet, this same Mirabeau, who was characterized as a "big beggarman," a "villain," an "assassin;" who was hooted, groaned, and laughed at; who was deemed fit only for the galleys and the scaffold, was shortly afterwards deemed the greatest man in his country; his death was looked upon as a great national calamity, and the Pantheon was founded for the interment of his ashes!

The reason of all which is, that Mirabeau, when he spoke, did not speak to the Chamber of Deputies, but to the people. His was their voice—their echo. Mirabeau was the mirror in which the people saw themselves; he reflected and gave back the thoughts and feelings which agitated society from its surface to its centre. A people, even though it do not think, has always powerful instincts. It is quick to perceive the character of a man. In this respect, its visual ray is always straight. It was only because of Mirabeau's influence among the people, that he possessed any influence whatever over the Assembly. His words were taken up, and echoed without, throughout the length and breadth of the land. What mattered to him the laughter and whistling and interruptions of the "illustrious" men around him? "When this sovereign orator," says Victor Hugo, "seized by a sudden thought, mounted the tribune—when this man found himself face to face with his people—when he was there standing and marching over the envious assembly like the man-God upon the sea, without being swallowed up by it—when his beaming yet sardonic gaze was fixed from the summit of the tribune upon the men and the ideas of his time, he had the air of a man measuring the littleness of others by the greatness of his own ideas; then there was neither calumny, nor hooting, nor abuse; no matter what his enemies had said or done or laid to his charge, the first breath from his mouth hushed the

elements beneath him; his figure became as if inspired, and everything else seemed to disappear before the splendour of his genius."

Mirabeau was a man full of power and energy. On the tribune he seemed to have quite a colossal appearance. His voice, even when he uttered a word from his seat, had a formidable sound in it, which echoed through the Assembly like the roaring of the lion in a menagerie. His hair, when he bent his head, was like a horse's mane. His hands sometimes seemed as if to knead the marble of the tribune. His visage, his attitude, his whole person became inflated, and he then seemed the very impersonation of nobility and grandeur.

But Mirabeau was not only great in the tribune; he was also great upon his own bench. The Interrupter equalled the Orator. He often expressed a whole question in a word as well as in a discourse. "LAFAYETTE HAS AN ARMY," said he once to M. de Suleau, "BUT I HAVE MY HEAD." He once interrupted Robespierre with the remark: "THIS MAN WILL GO FAR, FOR HE BELIEVES ALL HE SAYS." At another time he said, "THE COURT STARVES THE PEOPLE. TREASON! THE PEOPLE WILL SELL IT, THE CONSTITUTION, FOR BREAD!" Dreadful revolution lies in the words. He once defined the Abbé Sieyès as "A METAPHYSICIAN TRAVELLING OVER A MAP OF THE WORLD!" On one occasion, the National Assembly wished to commence an address to the king by this phrase, "THE ASSEMBLY CARRIES TO THE FEET OF YOUR MAJESTY AN OFFERING," &c. "MAJESTY HAS NO FEET," coldly answered Mirabeau. At another time the Assembly went a little farther, and said, in an address, "That it was intoxicated with the glory of their sovereign." "THINK YOU," asked Mirabeau, "that the men who make the laws are INTOXICATED?"

If we would summarily sketch the character of Mirabeau, we would say that he was a pure revolutionist,—a man expressly formed for revolutionary times. He was adapted to take the lead in the great social outbreak of his day: he was just such a man as was fitted for the state of France at the end of the last century. He would have been of little use before his time: he would have been of none after it. His father, who never could comprehend him, though he gave him birth, once said of him, "THIS MAN IS NEITHER THE END NOR THE

BEGINNING OF A MAN." And for a good reason: "this man" was the end of one era of society and the commencement of another. He was no builder, no reformer; but purely a destroyer. His aim was at the entire structure of society: it was not to found a republic, but to effect a revolution. He consummated the work which Voltaire and others had commenced. The labours of these men were directed to the same end—to destroy old things and prepare the way for new. The one laboured for nearly half a century; the other appeared on the scene only for a few years. Voltaire wrote almost during as many years as Mirabeau spoke days. Yet Mirabeau was no less effective as a destroyer than Voltaire. Each attacked society after his own manner. Voltaire decomposed; Mirabeau crushed. After Voltaire, society seemed in a state of solution; after Mirabeau, ground to powder. Voltaire operated like an acid; Mirabeau like a giant's club.

Yet it is not improbable that Mirabeau was in a great measure ignorant of the revolution which he was unchaining, and of the powers, for good or for evil, which he was letting loose. Nay, it is even said that Mirabeau was prepared to sell the people over to the crown, and that documents were found in his house, after his death, to this effect. It matters not whether that be true or not. Certain it is that he did more to raise the storm, at the same time that he held it in check, than any other man of the time. He held compressed under his own feet all the diverging forces which he had reserved to work out the ruin he had commenced. No sooner was he dead, than all the pent-up powers of anarchy broke loose. But even had he lived, sooner or later the revolutionary explosion would have taken place, and cast afar off even Mirabeau himself, giant though he was.

It is observed by Victor Hugo, in the course of his splendid Essay on the Character of Mirabeau, that "the party of the future may always be divided into two classes: the men of revolution and the men of progress. They are the men of revolution who tear up the old political soil, dig the furrows and sow the seed: but *their* time is short. To the men of progress belongs the slow and laborious cultivation of principles, the study of the seasons propitious for engrafting such and such ideas, the patient labour from day to day, the rearing of the

young plant, the manure of the soil, the harvest for all. These must labour alike under sunshine and under rain, in the public field, clearing away the rubbish from the ruinous places, digging up the stumps of former growth, and uprooting the dead fibres of the old regimes, weeding out abuses, those vile herbs which so readily and so quickly project themselves into all the crevices of the soil. Theirs must be the sharp eye, the sure foot, and the steady hand." We now need the aid of the men of progress. Mirabeau was a great man of revolution: we must have another as great or greater than he, in the new field opening up before us. We shall soon see whether he appear or not. Surely, Providence will not refuse to us the great man of moral and social progress just as it has not refused the great man of revolution. The French Revolution begun in 1793 is still proceeding. It has opened up to all social reforms an immense book, a kind of great testament. Many have been the hands that have held the pen and inscribed their names therein. It is still open, and the writing is going on at this moment. Napoleon, Charles X, Louis Philippe, have attempted to graft monarchy in some of its shapes on the vigorous trunk of the Revolution, and have each signally failed. At the present moment a dictatorship rules in Paris with trembling heart, but outward boldness, the momentarily defeated but not conquered myriads who hold fast the faith in a better political and social future. The consummation may be distant, but it is not doubtful. What Napoleon could not do, Cavaignac will fail to accomplish. France is governed not by men but ideas. Her watchword is ONWARD; and in achieving true freedom for herself, she will at the same time emancipate Europe.

NATIONAL LITERATURE.

III.—GERMANY.

(Continued from page 243.)

We now find Carl disgusted with himself and the world, but looking to a brighter future. He is sitting in a hostelry on the confines of Saxony, with Spiegelberg, one of his old associates. This is a man, whose weaknesses render him only the more dangerous, for he is depraved to the very core of his heart, a physical coward, yet cruel in the extreme, ambitious and an artful schemer, yet withal such a vain-glorious boaster, such a humorous companion, that you laugh at him while listening to his evil suggestions, they are conveyed in so ludicrous a guise. You despise the man too much to fear him, and thus unconsciously his words win entrance to the heart. From the stern, daring villain, you would turn with disgust—you tolerate while you laugh at the vain-glorious coward. With consummate art the poet has succeeded in at once revealing the secret springs of this character (a task of no little difficulty with one so designing), for he has introduced him to us in a state of inebriation.

It is to him, that Carl von Moor is now venting his discontent. "I am disgusted with the age in which I live," he cries. "The bright promethean spark is burnt out, it has become a mere stage fire, that will not even light one's pipe. A French Abbé tells us, that Alexander the Great was a coward—a consumptive professor, who holds a scent-bottle to his nose at every word, gives lectures on strength—sickly schoolboys execrate the victories of Scipio, because they are forced to parse them. High reward for your lavished blood, that you live on amid schoolboys, or are wrapped around ginger-bread,—or, by rare good fortune, placed on stilts and moved by wires, by some French playwright."

Thus, disgusted with the present age, full of the glories of the past, whose relative merit he perhaps over-rates, he vents his feelings to his evil-minded friend, and by a transition, true to nature, reverts to himself, to his embarrassments—for he was on the point of being arrested for debt, the officers of the law were already on his track.

"I cannot bear to think of it," he cries. "I am to fetter

my will, to confine my body as in a strait waistcoat, within the boundaries of law. I tell thee, the law has turned that into a snail's pace, that would have become the swoop of an eagle. The law never yet made a great man, but freedom ever brings forth deities or demons. Oh! that the spirit of Herrmann still glowed in his ashes! Place me at the head of a host of fellows like myself, and Germany shall become a republic, compared to which Rome and Sparta were but nunneries."

Spiegelberg starts up with glad surprise. He sees that the game is in his hands. "Bravo! bravissimo!" he exclaims. "You just bring me to the point. I will whisper something in your ear, Moor! that I have long thought of, and you are the man for it. Drink! brother! drink!"

Spiegelberg was no unpractised villain, he knew the moment, and he understood how to use it, when he said: "Drink! brother! drink!" He now unfolds plans of aggrandisement so absurd, that Carl Moor, despite himself, is forced to laugh and listen, but he says, "the time of folly is past, we have abjured its empire now."

Spiegelberg, who has mistaken his man, is surprised at the remark, and endeavours to renew the old spirit in his companion, to restore his relish for excitement and excess. He recurs to his former wild deeds, which had won the admiration of his thoughtless comrades, but Carl listens with disgust and repentance.

"Are you not ashamed to boast of those actions," he replies. "Have you not decency enough to blush at them?"

"*Spiegelberg*.—Go to! go to! You are no longer Moor. Do you remember how many a time, bottle in hand, you mocked your miserly old father, and said 'Let him grumble and growl, I will drink to it, till I drown the spark of life!' Do you remember that? Eh? Do you remember that? you miserable, empty boaster?"

"*Carl Moor*.—Curses on you, for reminding me of this! And curses on myself, to have spoken the words. But I did it under the excitement of wine—my heart knew not what my tongue uttered."

Spiegelberg, who cannot believe his companion to be serious, now tells a story of his boyish days, how he used to amuse himself with his schoolfellows, in attempting to leap a broad ditch near his father's house, but in vain, he never succeeded in clearing it, till one day, on the following occasion: "Near the house," he continues, "was chained a

hunter's hound, a fierce, ungovernable beast, and I knew no greater pleasure, than to mock and worry the animal from the distance, and was ready to die with laughter, when it glared at me with its angry, envenomed eyes, and would have torn me to pieces, had I been within its reach."

Mark how well this story illustrates the mean and evil heart of Spiegelberg.

"One day, when I was thus amusing myself, I hit the hound so hard a blow with a stone, that in its anger it broke its chain, and flew towards me. Away I rushed, like lightning! When, lo! that accursed ditch barred my flight! What refuge! The furious hound close at my heels!—Soon resolved—I made an effort and cleared the chasm! That leap saved me, body and limb! The hound would have torn me to pieces!

"*Carl Moor.*—But what has this to do with our present case?"

"*Spiegelberg.*—Thus much: it shews you how our strength increases with our danger. Therefore I am never cast down in any extremity. Courage grows with peril. Fate must have intended me for a great man, or it would never thwart me thus."

Thus skilfully he lays the train of thought, and, in his inebriety, mingles it with such absurdity, that in laughing at the vain-glorious fool, Carl perceives not how dangerous are the tendency of his words. But, withal, dreams of a bright and happy future dawn on the spirit of the repentant son: "Nobler joys summon me to the shades of my paternal forests, to the arms of my Amalia. Last week I wrote to my father, praying for his forgiveness. I did not conceal the slightest circumstance, and candour ever meets with aid and pity. Let us bid adieu, Moritz (Spiegelberg), we have met to-day, and we meet not again. The post has arrived; the letter, that bears my father's forgiveness, is already within the walls of this town."

It is in the moment of hope, when we are beguiled by our brightest dreams, that disappointment ever is most dangerous. In such a moment it was to fall to the lot of Carl.

Schweizer, Grimm, Roller, Shusterle and Razman, brother students, now enter, and inform Carl Moor that the officers of justice are close upon their traces, that every moment may be the last of their liberty. But Moor heeds them not, he but thinks of the letter that is to contain his father's forgiveness. He is excited and anxious, and Roller, the friend he loves the best, remarks, that he trembles.

“*Carl*.—I tremble not—why should I tremble? Comrades, this letter—wish me joy!—I am the happiest being under the sun!—Why should I tremble?”

At this moment Schwarz enters with the long-expected letter. “It is my brother’s handwriting!” Carl exclaims—reads—the letter falls from his hand and he rushes out of the room. It was indeed Franz who had written the letter, and it was but one of the many links wherewith he strove to chain his unsuspecting brother to destruction. It contained, assumedly on the part of his father, the most bitter and cruel answer to Carl’s supplicatory appeal, banishing him for ever from his paternal home, and replete with the sternest threats.

Even the wild and lawless students are astonished at such relentless cruelty.

Spiegelberg, who had been sitting busy with his thoughts in a remote part of the room, and in his intoxication committing the most extravagant actions, over-hears their remarks, and now steals towards them. “Ye have been talking of bread and water,” he exclaims, quoting from the letter they had been reading. “I have provided better for ye.” He then reveals his plan to them, heated as they are with wine, fired by misfortune and insult, in momentary dread of the officers of justice breaking in upon them. It is no less, than that they should form a band of robbers, and depart for the forests of Bohemia, thus spurning the laws that shackle them, and make revenge, justice and liberty their own. So skilfully does he insinuate this plan—so strangely does it steal upon his listeners from one whose boasting vein is rendered still more ludicrous by the effects of drink, that instead of spurning, they laugh at him, and lax as are their morals, desperate their fortunes, they applaud his proposition, unite, and form the band of robbers. Roller, Moor’s friend, was the most difficult to win over, and in this the poet seems to have deeply studied the human heart. *Similis simili gaudet*. He could not have been honoured with Moor’s friendship, had he not been far above the common mass. However, he assents at last, the pact has been ratified, and, at the very moment that he has been proposed as Captain of the band by Roller, much to the disappointment of Spiegelberg, who had all along had this in view for himself, Carl Moor bursts in upon them, the picture of despair.

Maddened at receiving insult and cruelty at the hands where he had most reason to expect kindness and pity ;

his hopes dashed at the very moment when they were the brightest, the gate of heaven closed for ever on the repentant son, he launches an anathema against mankind—and burning for revenge, exclaims: “Oh, man! man! false, traitorous race! Your eyes are water, but your hearts are adamant. I have learned to bear evil! I could smile, if my direst foe pledged me in my own heart’s blood! But when the love of kindred turns traitor—when paternal love becomes a fury—Oh! then take fire, manly forbearance! Turn into a tiger, gentle lamb! Strain every fibre for wrath and destruction——

“Repentance and no mercy. Oh! would I could poison the ocean, that man might drink his death from every spring.—It is incredible!—So touching a prayer, so vivid a description of my misery and deep repentance. Wild beasts would have dissolved in pity. Stones would have shed tears. Oh! that I could sound the clarion of rebellion throughout all nature, and lead air, earth and ocean to battle against man, that race with the hyæna heart.—Did I not love him unutterably? Thus son never loved a father. I would have sacrificed a thousand lives for him. Ah! would but any one now give a sword to my hand, that I might inflict a burning wound upon the race of man. Would but any one tell me where I could aim at the heart of their life.—He should be my friend, my angel, my God I would worship him.”—

Roller.—“These friends we want to become. Do but listen to us.”

Schwarz.—“Come with us to the Bohemian forests. We will collect a band of robbers, and you—”

Carl Moor fixes on him a look of astonishment. At no other moment would he have tolerated the proposition, now it chimes well with his roused feelings; it seems like the finger of heaven pointing the path for retribution.

Schweizer.—“You shall be our captain. You must be our captain.”

Carl Moor (seizing Roller fiercely.)—“Who prompted thee to that word? Hark! then! that impulse came not from thy human soul. Who prompted thee to that word? Yes! by death, with his thousand arms, that we will! We must! The thought deserves adoration. Robbers and murderers! By my eternal soul, I will be your captain!

Omnes—“Long live the captain.”

Spiegelberg (starting up.)—“Till I have done for him.”

Carl Moor.—“Behold! As it were a film has fallen from mine eyes. What a fool I was, wanting to return

into my cage. My spirit thirsts for action. I pant for liberty—murderers ! robbers ! With this word, law is hurled at my feet. Mankind refused me humanity when I appealed to them. Away, then, sympathy and human mercy ! I have a father no longer. I love no longer. Blood and death shall teach me to forget that I ever held aught dear. Come, come ! Oh ! I will divert my thoughts with fearful merriment.”

As though at that moment he felt an internal struggle—as though the future swept before him in a vision—he pauses. It is one of those fine touches the great poet alone could have conceived. He has been wavering in his own mind, which causes him to repeat, as though that vacillation had been apparent to all : “ Yes ! it shall remain so. I am your captain. And well to him among you,” he continues, believing his own heart and his own after-actions, (and it is this exaggeration of feeling which proves that it is his passion, and not his heart, that rules him in this hour) ; “ well to him among you, who murders the most fiercely, who destroys the most terribly, for, I say unto ye, he shall have a kingly reward. Now draw near, and pledge your faith and obedience unto death. Swear it by this right hand.”

They obey, and Moor then vows to be their faithful leader, denouncing death to those who falter and desert, and subjecting himself to the same penalty.

The robbers agree, and Carl leaves them, bidding them not fear danger nor death, for over all rules an iron fate ; words that would seem to prove, even in that moment of frenzy and resolve, a prolonged internal struggle, for fate is ever the excuse for crime.

“ The death-day dawns for every one,” he continues, “ be it on the downy pillow, the rough battle-field, or the bare scaffold ; ” and when he adds, “ one of these will be our fate ! ” he seems to intimate how utterly hope has left his soul, and that he still is pure of a desire for sin, which, he thus acknowledges, offers him no guerdon at the last.

Thus the poet obtained the power of making his reader admire the fallen, as much as the still sinless heart, and herein lies at once the moral and the danger of his work.

The act is ratified—the bond is sealed, and as the robbers separate to meet again, Spiegelberg departs with the ominous words : “ An item fails in your list. You have omitted poison ! ”

(To be continued.)

THE MEZZERIA SYSTEM OF TUSCANY.

No single institution exercises so powerful an influence on the formation of national habits, and the production of social well-being, as the tenure by which land is held, and its tendency to restrict or extend the number of possessors of the soil in any country. We have not the slightest doubt that a careful analysis of the evils which are now complained of by the struggling classes in this country, would prove that the majority of them are referable, directly or indirectly, to the system which, in this country, locks up the land from the people at large, and confines its ownership to a few hands. The large farm system aggravates the evil—the great mass of the people are, as it were, divorced from the soil, and compelled to have recourse to the precarious pursuits of manufactures and commerce; while agriculture, the real basis of national wealth and prosperity, sinks into a secondary occupation, and society resembles to some extent an inverted pyramid standing upon its apex instead of its base.

In this respect, as in many others, we may trace the injurious influence exercised over public opinion and over our national institutions by that busy sect of writers and speakers known by the term Political Economists. Excluding from the field of inquiry everything that did not bear on the simple production of wealth at the least expenditure of capital and labour, they have succeeded in producing a monster that may rival the Frankenstein of the novelist. The science of PRODUCTION has been carried to an unparalleled extent. The means of creating wealth exist in superabundance, but the very extent of these powers has, under the selfish and ignorant direction of our so-called political philosophers, only spread poverty, discontent, and crime more widely among the "lower classes."

One of the great bugbears of this class of writers is

the small-farm system, which in their works is invariably treated as synonymous with national degradation and pauperism. Unfortunately for the proper understanding of the question, they have at hand what is to them a standing illustration, and which, for want of the diffusion of sound knowledge on the subject, serves to deceive the people. Because small farms exist in Ireland, the conclusion has been jumped to that they are the main cause of the wretchedness of the miserable holders of these farms. With most people this assertion passes current as a truth there is no gainsaying; and there are not wanting many who on that ground alone predict the failure of the scheme of the National Land Company.

It is not our intention to examine the validity of the charges against the small-farm system founded on the results of that system as exhibited in Ireland, nor to show, which might easily be done, that the misery of that unhappy land arises from causes altogether apart from the small-farm system. "History," it has been said, "is philosophy teaching by example," and an abstract of the nature and operation of national institutions, more favourable to an extensive diffusion of ownership and use of the soil, will in our opinion be a better refutation of economical errors on that point, than a laboured abstruse argument. Passing on the present occasion the comparatively well-known illustrations of the small-farm system afforded by Belgium, Norway, Sweden, Guernsey, &c., we propose to present an abstract of the nature and effects of the *Mezzeria* system of Tuscany, as we find these stated in a Report by Dr. Bowring on the Statistics of Tuscany, Lucca, the Pontifical and Lombardo-Venetian States (1837). In doing this we shall distinguish between the facts stated in the report, and the opinions of the reporter. He belongs to the school of economists we have already alluded to, the dogmas of which we believe to be most adverse to natural well-being. It is perhaps impossible to give a better idea of the *ANIMUS* under which the report is drawn up, than by quoting a sentence from his introductory remarks to the description of the Tuscan system of agriculture:—

"The opinions of Sismondi in favour of the *Mezzeria* system are well known, and from conversations I had with him in Tuscany I am well aware that these opinions have been strengthened by time and experience.

He has, however, perhaps rather looked at the question as a philanthropist seeking the results of his theories IN THE CONTENT AND HAPPINESS OF THE LABOURING POOR, than as a POLITICAL ECONOMIST who makes the NATIONAL WEALTH the main topic of inquiry."

It is the separation in their inquiries of the means for producing "the content and happiness of the labouring poor" from those requisite to produce "natural wealth" which constitutes, as we have already said, the radical error of this school of economists: the man is made subservient to the wealth he brings into existence, the interests of manufactures and commerce are looked at as things apart from the effects they produce on those engaged in them. A political and trading abstraction is set up and worshipped as an idol, even to the length of requiring the sacrifice at its altar of the household affections, the health, the intelligence, morality, and consequently of the lives and happiness of its victims. The pleadings of humanity in favour of children doomed to premature toil—monotonous and exhausting—which made them old before their time, and swept off a generation every twenty years—for woman whose sphere is HOME, with its sanctities, its duties, and its enjoyments, and who by being made an instrument in this idol worship, is unfitted for the appreciation or discharge of any of these, are disregarded by the high priests of this modern Moloch, of whom it may be truly said that they have caused woman and infancy to "pass through the fire," like their prototypes of old. They have at all times offered a desperate resistance to any measures for arresting any of the evils resulting from the present system, on the ground that these measures, however HUMANE, would interfere with the PROFITABLE INVESTMENT OF CAPITAL, and, therefore, be injurious to the production of "natural wealth."

To return, however, from this digression to the subject immediately in hand.

The Mezzeria system may be briefly described as an apportionment of the land into *poderi* or small separate estates, which are cultivated by a class called *contadini*, on the principle of an EQUAL DIVISION OF THE WHOLE PRODUCE BETWEEN LANDLORD AND TENANT—THE LANDLORD FINDING THE SOIL AND CAPITAL AND THE TENANT GIVING HIS LABOUR.

This system has existed from time immemorial. Of a date anterior to the Roman domination, it has survived the middle ages, for the feudal system was never very generally prevalent in Tuscany. From the earliest period the vast and fertile plains of the Val di Chiana and the Maremma have been abandoned under its influence, in order to carry cultivation to the summit of the mountains. These plains require an immense outlay for drainage, &c., to render them healthy and habitable, while the great division of property, together with the want of a centralized government, has operated to prevent such an expenditure. The consequence is a comparatively small revenue to the proprietors, in connection with a very general distribution of wealth among the population at large. The facilities for those enormous accumulations in the hands of a few individuals, at the cost of the destitution of the thousands, so common in this country, do not exist under the *Mezzeria*. The system differs in the various places where it prevails. In Tuscany, however, it is very favourable to the peasant, and may be regarded as the beau ideal of the system.

No WRITTEN contract exists between landlord and tenant. It is in force for one year only; the proprietor may exchange his cultivator every year at a fixed period, but a good tenant generally holds the estate from generation to generation.

In the partnership the proprietor supplies all the capital, and the cultivator the labour and utensils. The PROFITS are equally divided between them, even as regards the profits arising from the sale of cattle; the cultivator is only obliged to supply the labour required in the ordinary cultivation; should the proprietor be desirous of making new plantations or to reclaim waste lands, the expense falls solely on him, and he is obliged to pay the cultivator wages for extra work, and also to keep up his new adventures at his own expense, should their produce prove insufficient. The seed for sowing is also supplied at joint expense, that required for the support of the cultivator the proprietor is in general bound to supply him with; should he not do so, a good labourer would quit his employ, which would be the worst thing that could happen, for the system depends solely on good faith, and a good labourer is indispensable to the well-being of the landlord.

The cultivators reside in isolated dwellings in the centre of the estate; they dwell in the midst of their families; never see their neighbours, except at holiday times, at church, or occasionally at market, where they are not often obliged to go, for they buy and sell but little. A GOOD cultivator, indeed, rarely goes to market, the great recommendation of the system being that the farmer neither buys nor sells—his land supplies him with all he wants. It is meant to be a thoroughly self-supporting and independent system.

Every family possesses a “capo di casa” who is known to and approved by the proprietor; to him belongs the government of the family, the direction of the agricultural labourers, and the negotiations for the management of its external affairs. There is also a female head (mas-soja), who has the direction of the household economy. It frequently happens that two families are resident in the same dwelling, and under the same head. Families are generally very numerous, some reckoning twenty or twenty-five individuals, seldom less than six or eight. Possessed of home feelings, and no other occupation, agriculture for these families is all in all. THE RESULT IS, THAT TUSCANY IS HIGHLY CULTIVATED. If the quantity of labour applied to land, if diligence, aptitude, readiness, WILLING LABOUR AND LOVE FOR THE SOIL, on the part of the peasantry, bring with them good culture, Tuscany has nothing to desire in these respects. A small extent of land of moderate fertility suffices for the support of a family of ten or fifteen individuals. No other system, it is conceived, now in existence can draw from the land so large an amount of produce.

This produce, however, much to the regret of the EXPORTING economist, is mainly consumed in the HOME MARKETS.

M. Ridolfi, in an article in the ‘Giornale Agricolo,’ says:—

“Our most urgent necessity is less an increased produce than a mode of turning it to account. What is wanting to our agriculture are those subsidiary undertakings which give increased value to productions, and RENDER THEM MARKETABLE. We possess a prodigious quantity of wine, generally of a tolerable quality, but to render it fit for EXPORTATION has never yet been deemed an object of consideration. The sole purpose with us has

been to render it suitable for our home consumption. [How afflicting.] Everything is sold at the earliest moment [we suppose, therefore, in the best condition for use] and at the nearest market, for the consumption of the immediate vicinity in which it is produced; the ideas of the cultivator go not further. [Unhappy, ignorant, well-fed cultivator.] Even oil is not exactly regarded as an article for exportation. This situation of our productions is owing to the system of Leopold I, which sought to render Tuscany AS ONE FAMILY, SELF-DEPENDENT [what an ignorant blockhead, bad political economist, and worse sovereign this Leopold I must have been], and its consequences are traceable in our manners and customs."

M. Ridolfi proceeds still further with his lamentations over the general adoption of "THE ERRONEOUS SELF-SUFFICING PRINCIPLE" which he sorrowly, if not angrily, declares "pervades everything." The cause of these lamentations, however, peeps out in the following little sentence:—"The result of all this is, that out of the very large gross produce the net revenue to the Tuscan PROPRIETOR is most miserable." In other words, this home system and home market ensures to the labourer an abundant participation in the fruits of his toil, distributes wealth equitably among the population, and prevents the formation and growth of these startling inequalities of condition, which constitute the most dangerous symptom of the present state of society in this country. That state is produced entirely by a system based on the principles espoused by M. Ridolfi, who looks upon wealth rather as a thing for MARKETABLE EXCHANGES than the means of affording subsistence and enjoyment to the producer in the first instance, and then to the general community. An instructive contrast is to be found in the state of our manufacturing districts at the present moment. Under the influence of these EXPORTING principles, and the feverish and incessant search of their inhabitants after new foreign markets, when compared with that of the people, who have adopted what M. Ridolfi calls "the erroneous self-sufficing principle." Ireland is also under the dominion of the "sound free-trade exporting principle," and sends annually its corn, its cattle, its butter, and eggs to the markets of England, there to be coined into gold and spent by a luxurious class of absentee

landlords, while those whose toil and care brought all this wealth into existence are doomed to all the horrors of destitution and almost universal pauperism. The case of Tuscany is reversed both with the shirt-makers of Manchester and the food-growers of Mayo. The one goes without shirts, while the calicoes he has made are hawked all over the world in search of purchasers; while the Irish peasant starves on public charity, or dies from fever and want for lack of that food which his landlord has seized and converted to his own use.

By way of showing the actual results of this "erroneous self-sufficing principle," let us take M. Ridolfi's own statement of the condition of the Tuscan peasantry :—

"Regarding man as an instrument of labour, our agriculture is costly in the extreme, but under any other system man would do less and cost more. The cultivator is always on the spot, always careful, his constant thought is—THIS FIELD IS MY OWN. He works for his own advantage, not as a mercenary, nor as a slave or a machine; his loss of time is the least possible, as he has the distribution of his hours, and chooses his opportunities; while proceeding to his field he pulls up the weeds, he gathers together the manure which may have fallen on the roads, which contributes to the increase of his dunghill. The amount of labour bestowed by the cultivator would prove too costly to the proprietor if obliged to pay for it; it would not answer his purpose. It is always ruinous in Tuscany to cultivate land by day-labourers. On the other hand, if the labourer were to be paid his wages in money, they would be inadequate to his support. Under the existing system, if his profits are small they are direct; AND, IN THE SHAPE OF PRODUCE, HIS HOUSEHOLD WANTS ARE FULLY AND COMPLETELY SUPPLIED, AND AT NO EXPENSE. It is not possible for the cultivators to make a rapid fortune, but the better class of them possess their little capital in money. The marriage portions they give their daughters is a proof of this; these are considerable, and always increasing. It is true the landlord frequently assists; and not only the head of the family, but the other members also, both girls and boys, to whom they leave slight bequests by way of dowry, or who enter into small speculations, have all a little stock of money laid by. It is,

I consider, the great and only advantage of Tuscan economy that it ENSURES THE SUBSISTENCE OF A LARGE NUMBER OF LABOURERS, AND ENSURES THIS IN A MODE INDEPENDENT OF MEN AND EVENTS, AND FREE FROM THE VICISSITUDES OF COMMERCE AND THE UNCERTAINTIES OF TRADE OR OF RUINOUS CHANGES.

“The labourer in general is happy and virtuous; the unvarying nature and quietude of his life, and the dependence, free from all servility, in which he stands in relation to his employer, foster his habits of morality, whilst they maintain his dignity as a man. The cultivators constitute, according to my estimate, at least one-third of the population of Tuscany. There are computed to be between 50,000 and 60,000 farms (*poderi*) upon which the average number of individuals in a family may be taken at eight, and if to this number be added the agricultural day-labourers and those who depend upon agriculture for their subsistence, and the proprietors or servants of proprietors, it will be seen how small is the number of those who live by manufactures or other trades.

“The number of employés, medical men, lawyers, priests, &c., is very great in Tuscany.

“The land survey gives 162,067 estates (*cotes de propriété*), from which deducting double returns—which cannot be very numerous, for Tuscany is divided into only eighty-eight divisions for the land survey—the real number of proprietors will be about 160,000. This is a pretty high proportion to a population of 1,400,000, if we take into consideration that females in Tuscany do not inherit jointly with the male children.

THE PEASANTRY IS BEYOND DISPUTE THE BEST CLASS IN TUSCANY, AND ALL THE GOOD THAT HAS BEEN SAID OF THE TUSCANS IS DUE TO THE PEASANTRY. A peasant who should be reduced to work as a day-labourer, would feel himself miserable and degraded; it would be a descent from a high elevation in the social scale.

“The peasants’ houses are of a very superior description in Tuscany. In no country are the peasantry so well lodged. Probably half or more of the peasants’ houses have been rebuilt within the last 60 years, and the remainder have been improved. It is reckoned that, taking houses one with another, they must cost 1,000 crowns (about 200*l.*), and the average value of a farm (*poderi*) is 2,000 crowns (about 400*l.*)”

Such then, according to M. Ridolfi himself, is the heavy penalty paid by the Tuscans for the adoption of this “ERRONEOUS self-sufficing principle”—such the evils of Leopold’s policy, “which sought to render Tuscany, as one family, self-dependent.”

It would be easy to expatiate at great length, and profitably too, on the theme opened up by these facts; but perhaps it is better to leave them to produce their own impression. All we ask the reader, in conclusion, is to recollect that they are stated not by the admirers of the system, but its opponents. Dr. Bowring, in his report, shows a decided leaning against the system, and makes the most of its defects—especially what he considers its radical one, of not producing an enormous amount of national wealth for the gambling purposes of modern commercial speculation. He values but slightly the household virtues and general prosperity which result from the antiquated arrangements prevalent among the happy, industrious, and moral peasantry described by M. Ridolfi—himself an advocate of the EXPORTING system. The testimony of these two authorities is therefore all the more valuable, on account of their being the adherents of an opposite system. To our own mind no greater recommendation of the “self-sufficing principle,” so happily adapted to practice in Tuscany, could be given than that contained in one sentence in the description we have quoted:—

“It ensures the subsistence of a large number of labourers, and ensures this in a mode independent of men and events, and free from the vicissitudes of commerce and the uncertainties of trade, or of ruinous changes.”

Some such principle and mode of applying the national labour and capital is becoming every day more urgent in this country. Our great manufacturing and commercial system is breaking down on all hands, and the swarming myriads of labourers who now depend upon it for subsistence must be provided for in some other way by timely and effective measures of statesmen and legislators who wish to avoid the inevitable consummation of misgovernment—revolution, anarchy, and bloodshed.

THE MURDERED TROOPER.

“A sad tale is best for Winter;
I have one of ghosts and goblins.”

Winter's Tale.—Act II, Scene I.

“When ghosts, as cottage maids believe,
Their pebbled beds permitted leave,
And goblins haunt, from fire or fen,
Or mine or flood, the walks of men.”

COLLINS.

One cold and foggy evening, in the month of November, 17—, three ill-looking fellows, arrayed in the peasant garb of the district, bent their footsteps to a sheebeen, to have a “dhrop” and spend the evening together. It was quite dark, and as they opened the low door, they found Jack and his “rib” sitting in juxta-position before the ruddy blaze of a large, crackling, turf fire. The hearth and the floor were cleanly swept over; the children were all gone to bed. The cat was “washing her face” on the hearth stone, and uttering her regular purring notes, as if delighted with the operation, whilst even the very jugs, mugs, and glasses on the “dresser” smiled and sparkled in the merry glare of the red fire, as if conscious of the happiness which seemed to dwell in this lowly cabin.

“God save all here, but the cat and dog,” said the foremost fellow, as he entered, followed by his two comrades.

“God save yez kindly, boys,” replied the landlady, with a warmth of manner and cheerfulness of tone, which told her pleasure at beholding the “boys wid the brass” entering her domicile.

“Musha, yez welcome,” said the landlord, “and bad scrán to me, bud iv I had the hatchet I would nick the post.”

“What to do, Jack?”

“Arrah, bekase ids so long since I seen yer idside ov my door, I would like to leave a mark to put me in mind of your visit to-night.”

“Why, boys,” interrupted Biddy, “yez are getting mighty grand in yerselves ov late, that yez wouldn’t come see a poor

body ; why id would be good cure for sore eyes to see yez this time back."

"Id would be a prime cure for *blind* eyes to *see* us, anyhow," replied one of the men, chuckling at the fancied cleverness of his rejoinder.

"Troth, then, they should be as blind as a bat that couldn't see *you*, Tom, at any rate," said the woman.

"Why, Biddy?"

"Arrah, bekase your'e such a fine, clever fellow, and so tall, that they might almost set you up on the sea-side for a light-house."

"Well done, Biddy."

"Aye, indeed, and by my sowl, a fine baken them two big bright eyes of your own would make ov a dark night. And how, if a purty girl was the pilot, she'd be sure to make to you."

"Bravo, Biddy," returned the man, "your country for the blarney, any how ; ids no wonder you got at the blind side of Jack O'Hara." (Poor Jack had "an odd eye.")

"Aye, Tipperary for ever ; I'll never deny its my native country," said Biddy, in a tone of triumph and exultation.

"Aye, there's some good fellows in Tipperary," said the man.

"A chicken out of the blue hen for ever," cried Biddy. "Id's not all as one as the sheep-livered spalpeens of the Queen's County ; (I mean no offence, boys,) ids the Tipperary boys, that wouldn't think much of carding a bloody informer, or, just for a bit of devarsion, cutting the ears off an exciseman or proctor."

The peasantry of the Queen's County have been always reproached with cowardice by the natives of the adjoining counties. At the worst of times, they in general evinced a more peaceable and contented disposition than their neighbours ; hence they are constantly taunted with being cowards, and disloyal to their religion and country, by the more daring and ferocious spirits of Tipperary and Kilkenny. Mrs. O'Hara was a native of Tipperary, and strongly imbued with that rancorous hostility to every one connected with the government or the law, which so conspicuously characterises the turbulent peasantry of that far-famed county. The fellow whom she now addressed, knew this, and considering it useless to discuss the matter any farther, changed the subject, and said—

"Any how, Biddy, to tell the truth, divil a bit of a *spre* we had since we saw you last."

"*Spree*," echoed Biddy, "*spree inagh*, musha what *spree* would you have any where but here; but may I ax yez what did we do to yez that kept yez away so long?"

"Nothin at all," replied the fellow; "but to tell you the naked truth, we hadn't the 'fool's token,' and you know, as the sayin' sez—*gaun lon, gaun charaid*."*

"Aye," retorted Biddy, "but yez know if yez hadn't the *kelther* itself, your breath was sweet for more than I am worth, and a good name is better than money any day in the week."

"Blather, woman," replied the man, "we know very well how far our good name would go with Mrs. O'Hara if our money was not more passable than our word. But any how, we are not shook this time: go and fetch us something to wet our whistles, and put the could, frosty, night air out of our stomachs."

"What will it be, boys?" asked the woman. "I suppose as your'e more chilly than droughty, a raw chaw will be the most acceptable thing I can offer you."

"You have hit the nail on the head, Biddy. Bring us a pint of the best you have, and—harkee, if it be not baptised already, do not mind waiting to christen it; we will be satisfied to have it as it is, and ask no farther questions."

"Och, you schemin thieves," said Mrs. O'Hara. "Do you think ids lame Bet or blind Poll Pigott your'e dealing with. I never do such things. My whiskey is too strong to stand in need of private baptism, and besides I have too great a respect for my friends to the fore than take their money for what they could get for nothing at all in the pools and ditches."

The whiskey was now brought forward: a ricketty table was placed before the fire; a splinter of dried bog-wood was substituted for a candle; a couple of cracked and battered drinking-glasses were produced, and the carouse commenced. Jack and Biddy were invited to join the party and the glass went round briskly.

"Here," cried the landlady, when it came to her turn to offer a sentiment,—"*Here's to the King of England*; may he never be master of a shilling without having a thirteen-penny want for it, and whatever he may weigh to-night may

* *Gaun lon, gaun charaid*—Without money, without friends, or poverty parts good company.

his corpse be a load for a hundred horses going to his grave!"

"Bravo, Biddy, *achorra*," shouted the strangers. "Bravo, Biddy, you have the Tipperary drop in you, and no mistake! If his Majesty was to hear that *flahoolough* toast from you, its a countess he'd be after making of you, or at all events, he would surely stick your name on the pension list."

"I would scorn to see my name on the same black list," said Biddy. "There's vagabonds enough to take the crumbs which drop from the royal table, without having an honest mother's daughter, like Biddy O'Dermody, eating the bread of idleness and shame. God forbid that such a thing should be ever flung in my child's face."

"There's no danger of that," said her husband. "I think if his Majesty knew you as well as I do, its a rope he would be providing for you instead of a coronet, or writing your name on his list of pensioners. I often think your evil, disloyal tongue, will be the means of getting the cabin burned over our heads, and our necks stretched on the gallows."

"And serve you right," sneeringly rejoined Biddy. "You and every rascal of your county should get the gallows, if you got your merit. You never had the heart in the right place—if you had, or if you had but even a sample of the blood of Tipperary in your dung-hill veins, its little the Sassanagh wuld have to say to ould Erin this hour of the day."

The *sheebeen* Boniface lost all patience; he grasped the iron tongs, and, swearing a vehement oath, that if Biddy did not stop her unreasonable prate, he would "give her her claret to drink!" Winding the formidable weapon over her head, he looked the most *loyal* subject and the most absolute husband in the British dominions, though at the same time, he inwardly acknowledged no sovereign but his wife! Though he thus essayed to get up a pluck before his neighbours, he quailed with terror as she stood listening to his bombastic ebullition, and it was plain before he had well concluded his harangue, he would wish he had held his own tongue, and let his 'rib' go on unmolested in her disaffection. It was now the hour of retribution, however. Biddy wrenched the tongs from her trembling husband, and flourished it high above his cowering skull. "Shrink, coward and traitor," she vociferated. "You a man! you dare to advocate the cause

of bloody England and her cut-throat governors ! But it is like you ! Your country for treachery ! Why, you dung-hill *bosthoon*, I am only a woman, and I'd thrash a baker's dozen of you, and rattle the skull of the bloodiest Sassanagh in the King's dominions, if he dared to interfere in your behalf."

"Bravo, Tipperary !" cried the ruffians around the table.

"Tipperary and the sky over it !" echoed the landlady. "If every body had the Tipperary drop in them, its another song we'd have to sing. Ochone, if my faction in Tipperary was only here to-night !"

Biddy's allusion to her Tipperary connection, had a necromantic effect on poor hen-pecked Jack ; the same threat had often before silenced him, and he now shrunk back on his seat, cowering beneath Biddy's scowling glance. "And shure Biddy, *agrah*," he said soothingly, "and shure myself cares no more about the King than you, only I was vexed to hear you making a *balyour* * of yourself the way you were."

The glass had now made its first revolution around the old table, and it coming again to Tom's turn to drink, he gave—"Here's long life to the Pope, and success and long life to the enemies of the Sassanaghs, and no *moryeagh*."

The peasantry of Ireland were at that time strongly attached to the descendants of James II., and although they execrated the memory of that worthless monarch (as they do to this day), for his supposed cowardice at the battle of the Boyne, yet as his posterity were Roman catholics, their cause was warmly espoused, as far as was practicable, by the lower orders of Irish catholics. Accordingly, Tom's "toast" was heartily responded to by the entire "company."

The "pint" was now emptied of its contents, and Biddy said she would go and replenish it.

"Faix, I dunna, Biddy," remarked one of the men ; "they say in Irish—" *Is milis fionn*," † bud then, there's another sayin agin, that agin—" *Is searbh a isc*," ‡ we ought to cut our coats according to the cloth. Dont' bring any more, till we try are we able to pay for it."

* *Balyour*—The Bell-weather—the sheep in a flock that carries the little bell to fright away wolves or foxes. A noisy woman is so called, from her tongue being in "perpetual motion," like the clapper of a bell

† *Is milis fionn*—Wine or liquor is sweet.

‡ *Is searbh a isc*—But to pay for it better.

"Arran, whist, Paddy," said the worthy hostess; "don't be despairin so soon, man; the last night yez wor here, don't you know, yez had yer grub cheap enough, and who knows what God's doin this night."

"Aye, an' if God would drive some game across our road, we could, like that night, hear, and see, and say nothing."

"And eat, and drink, and pay nothing," remarked Tom.

The fellow had scarcely done speaking, when the sound of horse's footsteps were heard approaching the house at a rapid rate.

"Hark," said Biddy, listening for a moment. "Who knows what providence is doing—they say, 'speak of the devil and he'll appear.'"

The horseman now thundered up, and riding to the door, tapped at it loudly with the butt-end of his whip.

Biddy ran immediately, and on opening the door a well-dressed and respectable-looking man, mounted on a superb white horse, met her gaze. She dropt a curtsey, and simpered out with as much politeness as her broad Munster brogue would permit—"Your sarvint, sir."

"I say, Missis," said the horse-man, without seeming to mind Biddy's endeavours to be "dacent," "I say, which of these here roads leads to Castle-Durrow?"*

"This one, sir," replied Biddy, pointing to the road required.

"Thank you, madam," said the stranger briefly, and turning his horse's head about, he was going to charge his already bleeding flanks with the spurs, when one of the fellows from within popped his head out at the door, and said, "Is it goin' to Durrow you are, sir?"

"Yes, to Castle-Durrow."

"Musha, sir, if you'd just stop one minnit, you'd have dacent company wid you every peg on the way, myself and two honest boys more are goin' to Durrow this very night, and we just called in here for a start, to refresh ourselves and our garrans for the journey, an' as the night is so wild and dark, an' the road so bleak and lonesome, I think you might as well wait for us."

"Why, man, I don't well like to stop now, but as I am a stranger, I think as how I shall be glad of your company—are you ready?"

* Castle-Durrow, or, as it is commonly called, "Durrow"—a small post-town in the county of Kilkenny, on the confines of the Queen's County, and about eight English miles from the scene of our story.

"All as one, sir, we'll be ready in a jiffey, sir, we are just goin to have a dhrop of the crathur to keep up our hair; might I make bould to be after axin you honor to have a throw, and then we'll be wid you in less than no time."

"Is this here house an ale house?" "Yes, sir; devil a kinder droph you'll get from sea to sun than is kept in the same dacent house, sir."

"Then, lad, I am glad of it; we will hand a jorum before we go, tho' I'm summat in a hurry."

So saying, he dismounted, and fixing his horse's reins to the door-post, entered the *sheebeen* house.

"All the "company," Jack and Biddy included, now rose simultaneously, to welcome "his honour," and invited him to sit near the fire.

"So, lads," said the stranger, "you are having a swig—a right pleasant thing this here cold night."

Tom, as soon as the horseman was seated, offered him a glass of whiskey; he took it, and raising it to his mouth, said, "Boys, I don't know any of you, but here's success to all good fellows."

"Bravo, sir, bravo," exclaimed all unanimously, "and that id may never come back the same road, sir."

They had now an opportunity to view the horseman minutely. He was a fine, handsome man, of gigantic stature, and about thirty years of age. He was dressed in a large white "overall," closely buttoned to his chin, his throat was enveloped in a scarlet woollen shawl, he had on a low-crowned leather hat, and large military boots and spurs.

"Missis," said the new-comer, "I say, bring me a measure of that there stuff of yours; I think its good."

Biddy obeyed with alacrity, and a large bottle of whiskey soon sparkled on the table. The glass now circulated "in double quick time," and the stranger soon began to exhibit unequivocal symptoms of intoxication.

"Well, lads," he exclaimed, "I have travelled many a weary mile, by land and sea, and I own I never met more jovial comrades than you Hirish fellars."

"You seem to be an Englishman, or some such furriner, sir," said Biddy. "You don't speak the same accents as we do in these parts."

"Why, yes," said he smiling, "I am English, certainly; born and bred in the good town of Norridge (Norwich), in Norfolk."

"And might a body be afther axin' you, sir, what sort of

an occupation do you folly that you are such a mighty grate traveller intirely."

"I am a soldier."

"A soldier, a *loursha*," echoed Biddy in surprise: "why, by gor, you wor so grandly tossed out, that I thought you wor a gentleman or some one that a way."

"Well, you are out in your calculation, I reckon," said the Englishman.

"Aye, and so is the candle, or all as one," said one of the fellows. Biddy answered this ihdirect application by bringing another candle; and, placing it in the socket, resumed her position in the corner, and again commenced her interrogatories.

"And so, my dear, you say you are a soldier."

"Yes; I belong to a cavalry regiment; the troop to which I am attached is stationed, at present, in Maryborough,* and I am going on an express from my captain to a brother officer of his, who commands a small detachment of our troop in Castle-Durrow."

"And sure, beggin your pardon, you oughtn't to have coloured clothes on you. If you be a soldier, id's a fine suit of scarlet you ought to have on you, wid a fine brass helmet, with long plumes, like the 'hairy tails,' and a great broad sharp sword by your side, to skelp the bloody French and Spanish wid, bad luck shine on their Papish sowls," said Biddy, protruding her tongue from her teeth, as herself would say, "a yard long," and winking knowingly at her male friends.

"I am going on an express, as I told you, and for fear of danger in these bad times, my officer ordered me to disguise myself in this dress," replied the soldier.

"Your officer and you are no chickens, any how," said Biddy, "and indeed you done well to disguise yourself, for the bloody Papish rebels about here, would kill you if they could catch you, and eat you wid a grain of salt afterwards."

"Are you not a papist yourself?" asked the soldier.

"A Papist; musha, God forbid! an faix if I was, you might sing Molly Bawn,† for devil a sight of Durrow ever

* *Maryborough*—The shire town of the Queen's County: about twenty English miles from Castle-Durrow.

† *Molly Bawn*—White, or fair Mary—a favourite song some years ago amongst the peasantry.

you'd see, if you happened into a Papish house as you did here to-night."

"Then," said the soldier, "I have known many Papists at home and abroad, and I never found cause to consider them half so bloody as you say. There are many of them in our regiment, gay chaps, and brave soldiers; I have known French and Spanish Papists too, and found them damn'd good fellows, although indeed, as how, I must say, the Spaniards are summat treacherous in their way."

"They are—the Hottentots!" said Biddy. "Yes," said the soldier, "they would (and I have seen it) come up and kiss a man, and that moment draw a dagger from under their big cloaks, and plunge it in his bowels."

"Jesus, Mary and Joseph, bless and purtect us from our enemies," devoutly ejaculated Biddy, at the same time crossing her brow, and striking her craw reverentially.

The soldier looked at her, astonished; the three fellows and Jack laughed loudly, and Biddy coloured to the temples.

"I see, as how, Missis," said the soldier, "you are gulling me; you are a Papist, and why do you deny it?"

"I am not," vociferated the crafty villain. "Bud we Protestants down here, has the Papish fashions, and that's what made me bless myself, and thump my craw."

"No matter," said the soldier, 'a brother to Teague was Daniel,' as my comrade Pat Murphy, says; 'go, Missis, and fetch me some yale; I find myself getting topsy-turvy with that there damn'd whisky; I'll have no more on't.'"

One of the ruffians winked at Biddy; she understood him at once, and nodded assent to his desire.

Biddy brought the "yale," but not until she had first mixed it, not with "water from the spring," but with a goodly portion of some of the strongest "Roscrea" her house contained.

The Englishman tasted it, and being too much inebriated to perceive the fraud that had been practised on him, drank freely, until, in a short time, he was completely "knocked up."

(To be continued.)

ST. JOHN'S EVE.

A ROMANTIC DRAMA, IN THREE ACTS.

ACT II.

SCENE I.

Garden saloon in Rupert's house. Rupert ; a Messenger, strangely attired.

Rupert. How came you then ? (*with letters in his hand.*)

Messenger. Across the sea.

Rupert. Strange, that your vessel was not signaled.

Messenger. A thick mist concealed us.

Rupert. Is your vessel now in port ?

Messenger. It sailed again, for it is a ship that bears strange freightage, and there are many on board who have mysterious missions. It landed us with early dawn, and then stood out to sea again.

Rupert. Where is your master now ?

Messenger. He's nearing fast, but I sped first to herald his approach.

Rupert. 'Tis sixty miles to that old seaport town. You left it but at dawn, and here already ?

Messenger. We travel fast, we travel very fast.

Rupert. 'Tis almost superhuman speed, and why near those deserted ruins land ?

Messenger. 'Twas once a famous city.

Rupert. By the sea engulfed. A mouldering tower the beacon, without flag or light. They say unholy spirits haunt the spot.

Messenger. They did so once, for man made it his dwelling place.

Rupert. Oh ! a sneerer too. What said your master, then ? Repeat.

Messenger. Commend me to friend Rupert, say to day I come to see and claim my promised bride, pledged to me ere I left my native land.

Rupert. We'll bid him welcome and redeem our pledge. He has been absent long, and, if report speaks true, has amassed princely wealth.

Messenger. Enough to buy a principedom, which wealth he now lays humbly at your daughter's feet.

Rupert. (*Eager and delighted*). My lord is kind ; my

lord is very kind. Is he far? He will not tarry long. Haste, haste! (*Calling.*) Wilhelm! Hubert! Otto! (*Servants enter.*) Send out scouts to see if he be coming. Would he were here. Methinks he tarries long. Give him welcome. Bid him speed—my pledge shall be redeemed ... My daughter—pledge—gold—promise—by my soul. (*The Messenger smiles.*) Ha! you laugh?

Messenger. Did I? No! You fancied. (*The Messenger disappears unperceived.*)

First servant to second. He sneers, and seems to chuckle at some secret thought.

Rupert (aside). Perchance I seem too eager. One must always be on one's guard with these great people. They laugh at us poor citizens. I must behave with greater dignity. (*Aloud and pompously.*) What ho! Sir Messenger. What ho! I say. Give your master fair welcome. Tell him, if my daughter wills, he may come and lay his homage at her feet. (*Forgetting himself.*) He won't be long, will he? I mean, Sir Messenger—(*Turning round.*) Ha!—Is he gone?—Which way did he go?—I thought he stood beside me.

First Servant. So did I.

Second Servant. And I.

Rupert. Look if he's in the passage still. He must be.

First Servant. (*From the passage.*) No.

Rupert. How fast he went; he's on the terrace then.

First Servant. (*from still more distant.*) No.

Otto. Strange! Lord have mercy on us.

Rupert. How quickly these great folks always do things. Quite surprising.

Otto. Sir!

Rupert. What?

Otto. I beg your pardon, sir—but I don't think—(*Hesitates.*)

Rupert. What, sir?

Otto. That it's all right with that gentleman, who left us just now, or with his master either.

Rupert. Insolent blockhead. Why not?

Otto. Why, Sir! his comings and goings are not to my liking. He goes away, somehow, like the smoke out of the chimney, no one knows where it goes to, and he comes like——

Rupert. Sir! What do you mean?

Otto. And that landing, Sir! At those ill-favoured ruins! I'm afraid its not all right with them!

Rupert. Idiot! I tell you it is all right, and do not let me hear you buzzing your idle fooleries about the house. It is all right, I tell you; is he not as rich as a gold mine? Has he not got plenty of money; and what can be wrong with a man who has got plenty of money?

Otto. But, Sir!

Rupert. Silence, Sirrah!—You make me forget all I have to do. See that the green chamber be put in order, and the covers taken off the chairs—and—d’ye hear?—see that—oh!—I forget!—ah yes—d’ye hear—where is my daughter—my daughter—His coming so suddenly makes me forget everything. She does not yet know of my lord’s arrival; in fact, I could not expect it for a month at least—go and seek her—where is she—let me see her—She must prepare to receive him. Here—Wilhelm, Hubert, come—where is my daughter? Gemma, Gemma. [*Exit.*]

Otto. I don’t like the looks of it, anyhow. I don’t think the old gentleman, himself, a bit better than he should be. If he wasn’t in league with the devil he’d be more afraid of him.

Trina. (*without*) Otto, Otto.

Otto. Ay, Otto, Otto—I don’t know what they’d do in the world without me—that I’m sure I don’t. It’s ‘dear Otto, come here.’ It’s ‘dear Otto, go there’—from the master and the mistress, and the maid: Lord bless you, they ought to have three Ottos, at least.

Trina (*entering*) Otto, Otto; tell me; is it true?

Otto. What, my love?

Trina. And have you told him what you saw Rudolf do last night?

Otto. To be sure I have; why, wasn’t I sent to find out?

Trina. Oh, you dolt! How could you?

Otto. There it is again; other people get themselves into a scrape, and I’m sure to suffer for it. Well, I don’t care. I’m straightforward and plain.

Trina. Yes, I see—but don’t you know you’ve placed poor Rudolf quite in the old man’s power?

Otto. Oh, have I—sooner he than I, then.

Trina. Why, don’t you see, he could have him taken up for sorcery.

Otto. Well, I always thought no good could come of it; and this same outlandish devil we have got coming now.

Trina. Lord bless you! Why, it’s only the foreign gentleman.

Otto. A foreign gentleman—Ugh ! It's my opinion many a devil comes into the country in the disguise of a foreign gentleman.

Trina. Well, as long as I don't see horns and tail—

Otto. That's because you won't see. You see them every day, only they curl their tails upward and you take them for moustachios ; and as to their horns—why, bless you, what do you think they wear that lot of hair on their heads for, if it wasn't to hide them ? For my part, when I see a fellow enter a house with long rowley-powleys dancing about his shoulders, I always look out for horns, somewhere or other. Well—never mind, I'm determined to make something out of it.

Trina. Didn't he promise to reward you to-day ?

Otto. Yes, he said he'd give me : ugh ! ugh ! ugh !—a coughing fit always seizes him when he's promising.—But this wedding shall bring me something.

Trina. Oh, Otto ! I wonder when I shall be married.

Otto. Patience, patience, my dear.

Trina. Yes, it's very well for you to cry patience, who hasn't got any beauty to lose, but look at me, I'm absolutely wasting away, I'm sure.

Otto. Well, all comes at last.

Trina. At last ! Yes, when it's too late to do any good. You cold, unfeeling wretch ; you shall hear the effects of waiting, I wish I could make you feel them ; now listen :

(*Sings*) A maiden lived in a cottage lone

And Love he lived there too.

One morning Hymen passed that way :

She stepped unto the threshold stone,

And how she begged of him to stay !

But Hymen answered : " No ! no ! no !

I have no time, for I must go

To marry an old dowager

Unto a toothless beau !

And you are young—and you can wait ;"

And Hymen wandered past the gate,

And murmured : " No ! no ! no !"

Once more he passed that cottage lone,

His torch was dark and low ;

All anxiously he pressed the latch,

And asked for leave in blandest tone,

His torch to kindle with a " match."

But then she answered : " No ! no ! no !"

I cannot now—for I did go
 With Love who travels rapidly,
 When Hymen's coach is slow :"
 For maids, when Hymen tries them sore,
 Will fly with Love, and close the door,
 And murmur : "No ! no ! no !"

Otto. Hark !

Trina. What do you hear ?

Otto. A distant trumpet.

Trina. Folly ! It was the sea wind among the witch elms.

Otto. No !—Again ! Heard you not a sound like the distant trampling of horses ?

Trina. The thunder among the hills. See ! a black cloud has risen from them.

Otto. It seems to my fancy, as though it announced the approach of mischief to some one here. But see ! I must have heard rightly, for old Rupert is hastening across the garden-terrace yonder ! I must away and join him—he is calling. Here ! here ! Sir, here ! Small hope for Rudolf now his rival comes, (*Exit Otto.*)

Trina. Heigho, Otto ! I wish you had a rival too. But what a storm is driving across the hills. I like not guests who come in such foul weather. (*Rudolf meets her.*)

Rudolf. Stay, for the love of heaven ! Stay ! Where is she ?—Gemma ! I must see her ! see her !

Trina. Oh ! what brings him at such a moment. Away, this is no time.

Rudolf. Time ! time and I will soon have turned to strangers. I must—I will see Gemma ! Let me see her, or I will raise a tempest through the house shall mock the one approaching—Hence, I'm maddened. Ah ! she comes. She lives ! She lives ! She lives ! 'Twas her heart told her I was here and sought her. (*Gemma enters.*)

Gemma. Oh ! Rudolf ! Rudolf ! Dost thou linger yet, the free bird hovering round the captive one. 'Tis rash to come thus openly and brave my father's anger, Rudolf.

Rudolf. Should I fear ? What have I now to fear ? A whirlwind, Gemma drove me to thee ! A wreck unto a wreck.

Gemma. Why art thou so dejected ? Pale despair is written on thy face ! Be sure that heaven will not let two young hearts, like ours, be rent. Thou wilt return with wealth from foreign lands.

Rudolf. I go not, Gemma.

Gemma. How? You will not go?

Rudolf. And wherefore should I? Hope is dead and buried, yes, it was buried yesternight.

Gemma. A phoenix! from its undying ashes it will rise! Could I but give you something of my thoughts! They are so full of dreams of a bright future. But one cloud o'er me hangs: the tide of years seems weighing heavy on my father's head.

Rudolf. That care I can remove. He'll not die yet. He will not die this year.

Gemma. Thank you for this. The words are kind—their truth no man can know.

Rudolf. I know it. Therefore smile thy short, sad hour. Poor Gemma! Death has daintier work in hand.

Gemma. (*amazed.*) What sudd en sorrow shakes thee? What strange fear? Why thus abandon thy long-cherished plan, to-day should see enacted? Why not hence, seeking love's flowers upon fortune's path?

Rudolf. Why hence—why here—why anywhere? For now no hope is here, nor hence, nor anywhere! We part and yet I go not.

Gemma. What means this?

Rudolf. That life's a curse, and fortitude a jest.

Gemma. There lurks some hidden meaning under this. Oh, tell me, Rudolph, tell me.

Rudolf. Ask me not.

Gemma. By our dear love, I do adjure you, tell.

Rudolf. I cannot.

Gemma. Ha!—Did you not say?—oh, speak. My father's life was safe?—Whence know you that? Oh, boding heart—where were you yesternight? Speak—answer me—where were you yesternight? Speak. I bethink me of an ancient tale of death-foreboding sights on St. John's Eve.

Rudolf. Hold!—silence!—Seek no more.

Gemma. You were to church last midnight, but no priest was in the aisle. Shake not your head thus. On your death-white cheek 'tis written. Oh, what saw you there? Oh say! or I go mad.

Rudolf. (*bitterly*) Your father was not there.

Gemma. Then why this grief?

Rudolf. Now spare me! heaven spare me!

Gemma. Rudolf, turn not away. Look at me well. Now answer me, who was there? (*A long pause.*) I was there! I see it! (*She stands rivetted to the spot.*)

Rudolf. Heaven! if thou hast mercy, strike me dead. Gemma! beloved! She hears not—heeds me not. Gemma! one smile, one sign. Oh! she is dead, and this a marble statue for her grave. Speak to me, Gemma.

Gemma. Rudolf, 'tis in vain. For at that moment—in that pause I felt death's spirit pass into my heart. 'Tis o'er! you have seen truly, Rudolf:

Rudolf. Say not so. Phantoms are sent of hell, and dreams are false.

Gemma (*heeding him not*). Rudolf, 'tis cruel doom to die so young. My heart was full of hope, and love, and dreams. Oh! golden dreams of visionary bliss! And to be laid beneath the chill, damp earth; while yet so full of these,—'tis bitter, bitter! We might have been—oh! very, very happy.

Rudolf. We might have been. All—all the joys of earth are compassed in these words: "We might have been!"

Gemma. You will not leave me, Rudolf?

Rudolf. Leave you, Gemma, never. Not even in the grave, for death may take, but has no power to refuse. Fear not that I will leave you.

Gemma. I fear you!

Rudolf. Then fear not, I am calm. Calm, said I? Calm? The calm that follows on the thunderburst.

Gemma (*in broken tones*). My Rudolf, will you love me, when I'm dead?

Rudolf. If the dead love!—But no, no, no! my Gemma! you must not—shall not die! By penance long, by self-inflicted rack, by agonies, I'll win your life from heaven! I'll die for you.

Gemma. 'Tis sweet to be loved thus; but oh! I feel a cold foreboding freezes young hope dead.

Rudolf. No, Gemma, cheer thee. Smile, mine own beloved. Give me one little smile before I go. We will be happy yet; thy hated suitor, perchance, may ne'er arrive; so many things may save us yet to happiness. Bethink thee, he has to cross far seas, they're like a grave, the storms are fierce, his barque may founder, he may perish.

Gemma. Rudolf! this is sinful, Rudolf! Oh God! but yester-night—and now again.

Rudolf. Forgive me—oh! forgive me, for I'm maddened---I mean it not. Oh! may he live—possess the world—the heavens—all—but not my Gemma.

Gemma. Hush, hush! For pity's sake! Thy every thought is sin.

Rudolf. I feel thou art too good for me ; my soul would perish, were it not for thee. Thou art the angel calls me back from hell. May heaven bless thee, Gemma, noble girl ! Too good, too pure, too beautiful for earth (*folding her in his arms.*)

Gemma. Hush ! may we meet in heaven.

Rudolf. To my heart ! On earth thou shalt be mine. Despite the world I fold thee in mine arms and brave them all. Nought—nought shall part us. (*Rupert has entered unperceived.*)

Rupert. Part !

Gemma. The voice of fate. (*She sinks in Rudolf's arms.*)

Rupert (to Rudolf). How dare you, sir, intrude into this house ? Have I not forbid ? (*to Gemma*) How dare you, insolent child, forget yourself, and sink so low as to admit that villain here ? (*to Rudolf,*) Hence, sir, or I will have you scourged away. Hence, minion ! bandy not those looks with me, or I will strike you to the ground.

Rudolf. Ha, Sir ! No, no ! You are her father, you may speak.

Rupert. How, now ?

Rudolf (going.) I go—but of mine own accord.

Gemma Rudolf ! Rudolf ! He abandons me.

Rudolf. No, no, beloved ! beloved ! See, see, she dies !

Rupert. Better die, than thus disgrace herself. Rise, idle minion. (*To Rudolf.*) Villain ! hence this instant.

Rudolf. I go not, till I see her safe.

Rupert. How, slave !

Gemma. Go, dearest Rudolf. Go, incense him not.

Rudolf. Oh ! do not break my heart and bid me go.

Rupert Wilhelm ! Otto !—Ho ! without there, ho. (*Servants enter,*) Now, slave.

Rudolf. Touch me not, I warn ye.

Gemma (throwing herself between them.) Father !

Rupert. Now, girl ! thy paramour is in my power, for know that he was traced last night consorting with hell itself. Renounce him or he'll perish. Hence from my path, girl, or I trample on thee. (*Sounds of trumpets Rupert starts.*) Hush, hark ! What was that sound ? He comes, he comes. Ha ! he must not see this—Rise, dry thy tears. Thy hair is dishevelled—"Tis thy bridegroom comes.

Gemma and Rudolf. Oh ! heaven. All is lost—so soon, so soon. (*Trumpets approaching.*)

Rupert. Ha ! List ! What shall I do ? Away, away, get

to thy chamber—Don thy festal robe. It is too late—He's on the terrace !—Quick !—He's here.

[*A splendid train defile along the terrace past the windows to the sound of music, in gorgeous array, and enter the saloon bearing costly gifts. Lastly enters a cavalier of majestic presence and almost fabulous splendour of attire.*]

Rupert. My Lord. (*Bowing.*)

Cavalier. Well met, at last, well met, How beats my heart towards my promised bride.

[*Rudolf starts, steps aside, and remains watching the Cavalier with marks of the utmost astonishment.*]

Rupert (*aside to Gemma.*) Smile, daughter, smile. At peril of thy life.

Cavalier (*to Gemma.*) Silent—yet eloquently beautiful. Lo ! at thy feet I cast these treasures rich—

Rudolf. It is !—yet cannot be—(*Aside, still eyeing the Cavalier with astonishment.*)

Cavalier. The spoils of ocean—incense—jewels rare, this morning landed—

Rudolf (*rushing forward.*) This morning ? But I saw thee yesternight.

Cavalier (*with haughtiness.*) Unto whom speaks the serf ?

Rudolf. To thee, to thee !

Rupert. (*to Rudolf in an under-tone.*) I warn you, sir ! be silent. (*To servants.*) Bear him hence.

Rudolf. (*to the servants.*) Back, hounds ; at peril of your lives, hold back. (*To Cavalier.*) Stand me that question—answer me I say. Wast thou not with me yesternight ?

Rupert. He's mad.

Cavalier (*in calm scorn.*) Sooth, friend ! you wander strangely. I with you ! Fair company to pass a summer's eve.

Rudolf. Not in the church-yard ?

Cavalier (*sternly.*) In the churchyard, serf ? What did you in the churchyard yester-night ?

Rudolf (*staggering back.*) Oh Heaven !

Gemma. Hush, hush ! This implicates your life. 'Twas sorcery, that's visited with death.

Rupert. Here, seize him ; self-arraigned of sorcery. Besides I've proof, I have a witness too, our Otto saw him to the church-yard wander. Now then, your life is forfeit to my will.

Rudolf (*half unsheathing his hanger.*) Then be your blood on your own heads. Forbear.

Gemma. Oh ! spare him, spare him, father.

Rupert. (aside to Gemma.) Then speak smooth unto my lord, or else he dies.

Gemma. (aside to Rupert.) I will. (*Aloud to Cavalier.*) You're welcome. Oh! you're welcome, Cavalier. (*Aside to Rupert.*) Father, you see I smile—I smile—and kindly. (*Aloud to Cavalier.*) Dear cavalier, you're welcome.—Oh! thrice welcome.

Rudolf. (starting.) What do I hear?

Cavalier. Then deign accept these gifts. A pilgrim's offering to his sweet saint.

Gemma. (hurriedly.) Yes—yes—I smile — you promised—Father—mark—dear cavalier, I thank you.

Rudolf. Can it be? Oh, heart of woman, faithless, frail and light.

Cavalier. Fair lady; here in homage at your feet the pleasures of the Indies.

Rudolf. (casting himself at Gemma's feet.) At your feet breaking heart, that breaks for love of you.

Rupert. (Aside to Gemma.) Remember

Rudolf. Choose!

Gemma. (In broken accents.) Oh, dear Sir Cavalier!—Your honoured suit—

Rudolf (Starting up.) Oh! Gemma! Gemma! Death.

Gemma. See! Father—Spare him—spare him—spare him——It is done!

(*She sinks insensible into her father's arms, Rudolf stands in an agony of despair, the Cavalier towers in triumph, and the curtain falls*)

END OF SECOND ACT.

THE SYSTEM OF LAND TENURE

AND

AGRICULTURE IN GUERNSEY.

“Overpopulation” is the great bugbear of the day. In Ireland, the owners of the soil have recourse to a summary process of ejecting the human vermin who have no right, according to Malthus, at the dinner table of Nature. The constabulary and the military accompany the sheriff’s officers to the scene where a “razzia” has to be executed, and under the protection of legal “physical force,” the dwellings of the people are unroofed, rased to the foundation, and their late inmates driven forth, like Cain, to become wanderers on the face of the earth, for no other crime than that there are too many of them to suit the convenience, the profit, or the caprice of the landlord. This simple and somewhat rudimentary mode of procedure is not quite adapted to the more complex forms of “civilisation” which prevail on this side the Irish Channel, and hence the land-owners, and money-owners, and capital-owners, are compelled to have recourse to more roundabout methods of getting quit of that rascally “surplus” humanity which haunts and weighs upon their imaginations like a nightmare. The fashionable plan at this moment is emigration; its promoters are as busy as bees in every part of the country, lecturing and holding public meetings, at which the appalling amount and continual increase of population—the growth of pauperism, vagrancy, and crime, and the enormous cost of our charitable and criminal institutions, are all duly stated and dilated upon; wholesale expatriation is held out as the panacea which, if adopted, will at once restore health to the body politic, and create a host of colonial El Dorados, where British paupers will spring up into princely owners of lands and flocks, in the “twinkling of a bedpost.”

Upon some other occasion we may examine analytically the value of this popular nostrum. In the mean time, what we propose to do in the present paper, is to enquire into

the truth of the assumption on which it is based, viz.; that Ireland and England are overpopulated.

The population of Ireland may be stated at two hundred and twenty-five to a square mile; that of Great Britain at about two hundred and fifty to the square mile.

Now, if we can show that under a similar climate, and with a soil in all essential particulars precisely the same, one thousand persons to the square mile are supported, and that not wretchedly, but in a state of high comfort, we think it will be admitted that the fundamental proposition of the emigration-mongers is a false one, and that, consequently, their whole theory, as far as it rests upon that proposition, is a bubble.

We prefer, in dealing with these questions, to adduce well ascertained facts, rather than to follow political economists in their involved and puzzling abstractions, or political adventurers in their daring and delusive assertions. Last month we laid before the readers of the "*Labourer*" a valuable chapter on National Economy in an account of the "*Mezzeria System in Tuscany*;" we now propose to add another of those "examples," which, according to the old adage, "are better than precepts," by describing the system of land-tenure which exists in Guernsey, and its social, moral, and economic effects upon the population of that island. Our authority for the principal facts sujjoined, are Duncan's learned and elaborate "*History of Guernsey*," and an article contributed some years since to the "*Examiner*" by Mr. F. Hill, now one of Her Majesty's Inspectors of Prisons. The example is all the more valuable, because the island is under the dominion of the British crown, is within a few hours' sail of our own shores, and, as we have already said, cannot boast of a soil or climate superior to our own. Mr. Hill says:—

"The happiest community which it has ever been my lot to fall in with, is to be found in the little island of Guernsey. The pictures of want, filth, and crime which so frequently shock the eye of humanity in our own country, and which appear to a still greater extent in Ireland, and many parts of France, are not to be met with in Guernsey: but in their stead are to be seen the happy signs of abundance, comfort, and contentment. The poor man has his neat little house, is surrounded by his cheerful family, and is under no apprehension that he shall not be able, with moderate labour, to provide a full meal and a comfortable lodging for all who are dependent upon him.

“What are the causes of this superior state of things in Guernsey? Why is it, that within so short a distance of places where the pining Labourer is but half fed, and half clad, the men of Guernsey should have a well-stored board, and abundance of clothing? The climate is not peculiar; the land is not remarkably fertile. The southern parts of England are quite equal to Guernsey in both these particulars. How is it, then, that Guernsey should be so much a-head in the career of happiness? *Guernsey has superior laws, superior institutions*, and the state of things in Guernsey is one among the thousand proofs that have been given, that the prosperity and happiness of a people, are much more dependent on its laws, institutions, and the manner in which its government is carried on, than on climate and fertility of soil.

“One of the most striking changes which the visitor, whether from England or France, meets with, on his landing in Guernsey, is the entire absence of beggars; that miserable compound of imposture and real distress, the wandering mendicant, is there unknown. A tradesman, who has been established at St. Peter-Port, (the town of the island) for upwards of thirty years, assured me, that during the whole period of his residence, he had never seen a beggar. For myself, I neither saw nor heard of one, and I was satisfied from all I learnt, that a beggar in Guernsey is a being of a past age—a creature of history; a fit subject for the speculations of the antiquary, but too completely covered with the dust of ancient time, for those of the present day to examine.

“Not only is the island free from beggars, but it is also free from those debasing but unfortunate creatures whom the twilight of evening brings forth from their hiding places, like swarms of moths, to join the giddy dance round the flame that is soon to destroy them. Prostitution proceeds from the same sources as mendicity—want and ignorance—and where the latter are not found, the former will rarely be met with. Be that as it may, however, the fact is, that the streets and roads of Guernsey are not disgraced by the appearance either of the prostitute or the beggar.”

Such singular social phenomena as these well deserve the general attention which Mr. Hill thought should be directed to them, and the institutions which produce such results, supply, to use the words of the same authority, “a model from which much might be with advantage adopted.” The nature of these institutions we now proceed to state.

The territorial surface of Guernsey may be stated at twenty-four square miles ; or, reckoning 640 acres to the square mile, at 15,366 English acres. Deducting one-third for rocks, cliffs, places not susceptible of culture, and for houses, buildings of all sorts, streets and roads, their remain fit for cultivation, 10,240 English acres. According to the decennial census for 1841, the total population was 26,706 ; *eleven hundred and twelve persons to the square mile.*

The system of land tenure, and of cultivation, by which an island whose productive surface is little more than 10,000 acres of orchard, garden, arable, and pasture land, is enabled to support 27,000 inhabitants in the state of comfort described by Mr. Hill, is totally opposed to the dogmas of the political economists. The tenure is equivalent to proprietary in almost every instance. The land being neither rented nor leased, as in this country, by the cultivator, the estates are minutely sub-divided, and worked principally by the spade. The tenure of property partakes of the double nature of land held as a farm, subject to the payment of annual rents, and as land held as freehold in perpetuity. A purchase may be made by the immediate payment of the price agreed upon, or by the payment of a part only, and the conversion of the remainder *into corn rents*, to be annually paid, or finally by converting *the whole* of the price into such rents. In the two last cases, where a part of, or the whole of the price is stipulated for an annual rent, the purchaser is, to all intents and purposes, as much the proprietor as in the first case where the whole price is paid down in cash, and so long as the stipulated rents are paid, he and his heirs can never be disturbed, but hold the land as freehold for ever. To the former proprietor the rents are guaranteed by the land sold, and by all the other real property held at the time of sale by the purchaser free from such incumbrance, and the rents being transferable, and such property being always in demand, money can be raised by their sale with as much ease as it could before on the land itself. Thus, without the necessity of cultivating the soil, the original possessor enjoys the net income of his estate secured on the estate itself, which he can resume in case of non-payment, while the purchaser, on the due payment of the rent charged becomes real and perpetual owner, having an interest in the soil far above that of farmers under any other tenure. Experience has proved that, under this tenure, a spirit of

industry and economy is generated, producing content, ease, and even wealth, from estates which, in other countries, are hardly thought capable of affording sustenance to their occupants. The effect of the system has been to create a class of farmers, raised to the rank of proprietors, and dependent alone on their own good conduct, and not the caprice or selfishness of any superior owner of the soil.

This relation of landlord and tenant being peculiar to the Channel Islands, it is desirable to explain it more fully by an example. Suppose *A* possesses land valued at £1,200, which he wishes to *sell*, as it would be termed in England, or to *give to rent*, as the phrase runs in Guernsey, the following would be the process. *A* would either convey the estate to *B*, the purchaser, wholly in quarters, without receiving any cash, or, as is the more usual mode, he would receive one-fourth of the price, and convert the remainder into quarters. One Guernsey quarter is equivalent to twenty pounds sterling local currency. In the first case, *B* would have to pay annually to *A* sixty quarters, the interest upon £1,200, the assumed cost of the estate at five per cent. per annum; in the second case, he would have to pay forty-five quarters annually. The reason why it is usual to pay one-fourth of the purchase-money in cash, is that such payment may be some guarantee to *A*, that *B* will faithfully work the estate and pay the rent regularly, for should the rent fall in arrear, then *A*, by a process called *saisie* may totally eject *B* from the property, and the £300 paid by *B* when the contract was passed, would be lost to him for ever. In this manner, then, is the seller or the landlord secured in the receipt of the equivalent for which he has parted with the estate. As soon as the contract is executed, *B can fell timber, convert meadow into arable, and arable into meadow, and perform any and every act that a holder in fee simple can do in England.* The estate thus acquired descends to the heirs of the blood of the purchaser lawfully begotten, and on failure of issue to his nearest of kin. Sometimes these annual quarters are made permanent, but more frequently they are redeemable by certain instalments, as the buyer and seller may have agreed, thus enabling the latter gradually to become the owner without any incumbrance. Their value may be fixed at a definite sum, as twenty shillings per quarter; or they may be fluctuating, so as to depend on the current value of a quarter of wheat, which latter is the fairest mode of computation; for if corn is high then the farmer can afford a high rent, and if corn

is low he is relieved from paying more than his crop warrants.

Landed property in Guernsey is extremely subdivided. Instead of the property in the island being held in large masses, each acre of which is of insignificant value to the owner, it is covered over with clusters of small estates of from four to five acres. There may be some in each parish of twenty or thirty, but these are exceptions, and thirty-acre estates are extremely rare and looked upon as being considerable estates. This is the result of the law of succession in the island. Land by that law cannot be devised by will. The eldest son takes as his eldership the house, and from sixteen to twenty perches of land adjoining it on the paternal or maternal estates, if there be both—he is also at liberty to retain the land in a ring fence; that is to say, to keep possession of all lands to which he may have access without crossing the public road, but for such part of the land as exceeds his own share, he must pay to his co-heirs the price put upon it by the constables and douzeniers, or local court of the parish in which the land is situated. With the exception of one-twentieth part of the land, which is reserved for the sons, and out of which the eldership is taken, the real property is divided two-thirds among the sons, one-third among the daughters; but should their relative numbers give an advantage to the daughters, if a third were allotted to them, they would be bound to forego that advantage, and to share equally with the brothers. In order to prevent an unnecessary splitting up of these small estates, it is provided that the eldest son may, if he have the means, be allowed to pay to each of his brothers and sisters the value of their share of the property, and then retain possession of the whole himself.

The subdivision of the land and the tenure, by which a permanent interest in its cultivation is secured to the occupier, is sufficient to account for great production, and is in accordance with our experience of the results of similar arrangements in every other country where they have been fairly tried. The Guernsey farmer has also the natural advantages of a comparatively fertile soil, mild climate, and an abundance of sand and sea weed, which form an excellent manure. To these natural causes may be added, the advantages of an easy access to the coast and every part of the island by means of excellent roads, which give great facilities not only to obtain manure but for conveying the produce to market. Besides these causes, the

labour and attention bestowed on every part of the small farms, which are weeded as clean as gardens, contribute largely to abundant production. The tethering of all cattle, the use of the spade, and the general culture of clover, lucerne, parsnips, turnips, and mangel-wurzel, add wonderfully to the means of subsistence for all animals. "In small farms alone," says Mr. Duncan, "and in the wives and daughters of the occupiers, are to be found the superior care and economy requisite for the successful rearing and feeding of calves, pigs, and poultry, and for the general management of the dairy."

One main cause of the productiveness of the soil, however, appears to be the sea weed with which it is manured, and which by the invigorating salts it contains, greatly contributes to the production of the large crops of the staple culture of the island—potatoes. As this article is of such importance to the Guernsey farmer, many of the island laws and customs have reference to its preservation, and the time and mode of gathering it. It is used both as fuel and manure, and so highly are its agricultural uses appreciated by the islanders that "*point de vraic, point de hautgard*"—"no sea weed, no corn-yard," has passed into a proverb.

Mr. Nicholas Le Beir gives an animated account of the time of working, and regulations for gathering this product. It is cut in winter, at the first new or full moon after Candlemas, wholly for manure. On the 17th of July the general cutting begins, and continues till the 31st of August, when it closes. "It is then," says Mr. Le Beir, "that half the country people, uniting in sets of two or three families, lads and lasses, and some of these among the best, crowned with flowers, proceed joyously towards the beach, and as the tide leaves scatter themselves over the different rocks. The boldest on foot or on horseback wade to the furthest, that have been examined the day before, and where the *vraic* is thickest and longest, and proceed to cut it with a small kind of reaping-hook, throwing it in heaps, with a smooth stone having their initials chalked upon it, until the tide flows, when some of the men begin to carry it on shore, and that at full speed, from places which carts cannot approach. When their short but hard work is over the young men lead the lasses to bathe. Such a scene then presents itself as must make all but the misanthrope's heart smile with joy; the falls, the cries of the half-terrified, half-pleased girls, the shouts of the mischief-making boys who lead them into deeper water than they altogether like, form a scene

which all enjoy." The evenings are spent in simple and rustic festivities.

As specimens of the productiveness of the manure and the mode of culture, we may state from the same authority, that in the year 1836, "out of many a field were dug in the aggregate to the perch six bushels of sixty pounds Guernsey weight each, equal to sixty-seven and a half English—a produce about twenty tons a half English acre. This was, however, above an average, which is about four bushels to the perch, and the ordinary money value of the crop £20 an acre."

The rotation of crops generally observed gives two crops of wheat in five years; the usual course being parsnips, wheat, barley, clover, and wheat, the greater produce of wheat being after parsnips. The average produce of wheat in England, under the large-farm system, is estimated by the best authorities at from twenty-three to twenty-four Winchester bushels per acre. In Guernsey, under the small-farm system, a field of exactly two English acres and a half produced *one hundred and thirty-four and a half Winchester bushels*; or FIFTY-FOUR BUSHEL PER ACRE. It is well ascertained that other farmers have grown fifty-five and sixty bushels an acre; so that the ordinary wheat crop may be taken as at least double that of the large farms of England. The hay crops average three tons and a half an acre. They have been frequently known on the best land and in favourable seasons, to be four tons and three-quarters. Field roots for cattle are equally productive. Parsnips are a favourite crop, not only on account of their productiveness, but on account of their utility in fattening stock and its power of resisting the injuries of frost. The produce per acre, though less than that of mangel wurzel, is considerably greater than that of the carrot. A good crop in Guernsey is considered about twenty-two tons per English acre. Hogs prefer this root to all others, and make excellent pork, but the boiling of the root renders the bacon flabby. The animal can be fattened in six weeks upon this food.

Guernsey cows and dairy produce are justly celebrated. In reality, the cows called Alderney are the product of Guernsey, where alone the pure race of these animals can be obtained. So convinced are the islanders of the excellence of their cows that every foreign breed is rigorously excluded, oxen only being imported for the slaughter-house. A Guernsey farmer would not even allow a Jersey cow to

come on his land, though this distinction is unknown in England. An average good farmer's cow in Guernsey costs from eight to ten pounds. The supposed general average that a cow will yield throughout the year, is one pound of butter, or eight quarts of milk, during the twenty-four hours.

Viewing the agricultural system of Guernsey as a whole, the fertility of the soil and the weight of the crops cannot be disputed. Let the production of the island be compared to that of any ten thousand acres kept in one, two, or three hands, in Great Britain, and the superiority of small farms will be obvious; independently of the support of the families employed in cultivation, in a high state of comfort, the produce sent to market is much larger than from the large-farm system of this country. The Guernsey ten thousand acres keep two thousand five hundred milch cows, which produce, one with the other, all the year round, five pounds of butter per week—this at 1s. per pound or its value in milk, amounts to £32,500 a year; five hundred and fifty cows are exported, and about that number of fat cows or oxen are slaughtered. The quantity of vegetables, fruit, poultry, and eggs, brought to market, is prodigious, and as many as 267,733 bushels of potatoes were exported in the year 1839; the cider of the island is of the best quality, and several hundred hogsheads are annually shipped to England. The agricultural produce, therefore, from such a small surface, will be seen to be enormous, and such as to incontestibly demonstrates the superiority of the tenure by which the land is held, and the mode in which it is cultivated, As a consequence of this abundant production, prices are low. Wheat is cheaper in Guernsey than with us. The ordinary price of good meat is fourpence per pound; moist sugar from threepence to fourpence; potatoes sell for threepence a peck. A tax of one shilling a gallon on imported spirit, is the only indirect tax of any kind whatever. The principal tax is a direct one; it is a property tax, averaging about sixpence in the pound upon all existing property. Thus a man pays this tax not only for his lands and houses, but for money which he may have in the funds, for money lent on mortgage &c., With the proceeds of this tax the whole general and local expenses of the government of the island are defrayed, including the making of roads, the construction of public buildings, and the support of two hospitals in St. Peter-Port, for the maintenance of aged, decayed, and sick and infirm persons.

Notwithstanding these moderate prices, the rent of land

is so high that it will astonish the English reader. It must be very inferior indeed if the rent is not two pounds per *vergée*, which, as two and half *vergées* are equal to one English statute acre, is at the rate of five pounds per acre. The best land is much higher, being valued at three pounds to three pounds five shillings per *vergée*, or nearly eight pounds per statute acre.

Having explained the Guernsey system of landed tenure and its agricultural results, let us next advert to the moral confidence produced on the people by this system.

“One of its first consequences,” says Mr. Duncan “has been to raise the standard of virtue, to inspire the whole population with a manly and independent spirit, and to destroy that cringing adulation and fawning servility which leases for years have engendered among the tenantry of England. All men, no matter to what political party they belong, have admitted that the institution of property is the basis of civilisation. This principle being admitted sound by universal consent, it follows that whatever contracts its expansion must be vicious, and that *whatever promotes its extension must be naturally beneficial*. The bare possession of property on a doubtful tenure is scarcely a good; it is essential that the possession should be secure, and if security for a term of years be desirable, how much more so must it be for permanent enjoyment. This is the condition of the Guernseyman—once possessed of land, he can never lose it, except by his own fault; he has only to pay the stipulated quarters of rent, and he continues absolute lord of the property—he feels proud of his position, and the spirit of independence is within him—he is not classed among the locomotive machinery of humanity, who in Great Britain and Ireland are shifted from county to county, seeking a precarious existence from an insolent and grasping squirearchy. No, he has a solid stake in the country, though it be small—he can say with honest pride: “This house is mine—that field is mine, and when I die the law will give them to my children.”

This system of tenure prompts to industry, encourages economy, and represses intemperance. A man having paid down in cash one-fourth of the value of the land he holds, is stimulated by the most powerful impulses to redeem the annual quarters, and disengage his estate from the payment of rent. A person so circumstanced, feels that he is working for himself. He has an object constantly before

his mind which he steadily pursues. Its influence in forming habits of prudence and forethought may be judged of, from the fact, that out of this population of 26,000 persons, there are 1,920 depositors in the Savings Bank, possessing a vested sum of nearly £40,000. The facility of obtaining a proprietary right in land without paying down the purchase money, is a strong incentive to economy, and thus it may be safely affirmed that the individual virtues, which form the true foundation of all national prosperity and progress, are the natural results of a wise and just system of land tenure, and the consequent general possession of proprietary rights by the people. Habits of prudence, economy, moral restraint, the wisdom of appreciating in what consists a competency, and the disposition to live within one's income, are virtues indigenous to the soil of Guernsey and rooted in the national character. Agrarian outrage is unknown, because its causes do not exist. There is not on record an instance of machine breaking, rick burning or ham-stringing cattle; the mass are interested in the preservation of order, for the mass have property, or may acquire it. Institutions based on justice, need not a soldiery or a police, for the citizen and the constable become identified under their influence.

Looking at the subject in a politico-economical aspect, its superiority in stimulating industry, and securing large production, must be admitted. In Guernsey, a population of 1,100 to the square mile live in comfort under the small-farm and proprietary system, while Ireland with its 225 to the square mile, has nearly one third of its whole population without occupation, pauperised to the lowest verge of degradation. Almost every Guernseyman has a comfortable house to live in, a clean bed to sleep upon, and abundance of warm and decent clothing, while millions of the Irish are all but houseless, shirtless, and shoeless, and live on the most scanty and miserable fare. In Guernsey there is no beggary, and it has on various occasions contributed most munificently for the relief of Irish poverty.

The same system of land tenure exists in Jersey, and its effects in that island are precisely similar. Jersey is more extensive than Guernsey, but still it is a small spot. According to Col. Le Couteur, the most accurate surveys give it a superficial extent of forty thousand English acres. Deducting about one-third for rocks, waste land, buildings,

and roads, there remain about twenty-six thousand six hundred acres fit for cultivation, being more than double the arable land of Guernsey. According to the same eminent authority, the cost of land near to St. Helier's, the capital of the island, is worth nearly *two hundred pounds the acre*. In the country parishes it varies from *seventy-five to one hundred and fifty pounds the acre*; such lands letting from *four pounds ten shillings to six pounds fifteen shillings the acre*. According to the census of 1841, its population was 47,546, giving nearly an equal number to the square mile as in Guernsey. Mr. C. Le Quesne, in his work on Jersey, fully corroborates Mr. Duncan's statements as to the effect of the system in Guernsey, and Dr. Adam Smith, the great apostle of modern political economy, has well supplied the philosophy of the system, and the reason why such results are produced, in the following sentence:—“A small proprietor, who knows every part of his little territory, views it with all the affection which property, especially small property, naturally inspires, and who, on that account, takes pleasure not only in cultivating but adorning it, is generally of all improves the most industrious, the most diligent, and the most successful.”

It will be seen by our readers that the plan of the National Land Company embodies most of the leading principles of the system of land tenure we have described, and that, if fairly carried out, it would practically amount to the same thing—the allottee gets possession of his small holding on a perpetual lease, unencumbered by any condition save that of paying the rental, and may at his option, like the Guernseyman, become its owner in fee simple by purchasing it at the first cost, and paying the purchase-money by instalments. The system, therefore, if generally adopted and put in operation, with such modifications as might be required to suit it to the habits of our people, would produce the same results here as we find to exist in the Channel Islands.

Surely, a plan which secures the landlord his rent, raises the moral standard of a whole people, encourages industry, temperance, and prudence—which represses crime, economises the cost of the police and soldiery—exterminates pauperism—and which so employs labour as to make it the engine of mutual supply and demand—surely, a system holding out such advantages, reconciling all interests, and recommended

by the practice and experience of ten centuries, deserves the patient and calm attention of all true lovers of their country.

Let our legislators and politicians remember that every experiment tried of late years to diminish pauperism and crime in this country, has ended in the most miserable failures. It is time that we should strike into a new path, and apply a radical cure to these evils.

THE MURDERED TROOPER.

(Continued from page 182.)

Recovering himself slightly in a few moments, one of the scheming ruffians said, "Why then, sir, maybe you would have the goodness to give us a verse ov a song; they say the English has noble voices for singing."

"That I shall, Pat," said the Englishman; and I know as how you will favour me with one of your Hirish strums when I am done. They are devilish odd things in their way."

"Wid all the veius in my heart I will," said the other, "but then we have so much of the manners as to give strangers the way."

The soldier laughed, and after hemming, and heaving, and hiccupping some time, trolled forth in a fine, strong, melodious chaunt.

"Bravo, bravo;" shouted all, "may you never die till your shin cuts a pot."

"Ha, ha, ha!" and the poor, half-stupified Englishman laughed heartily at the oddity of the compliment.

He was now plied with another cup of whiskey, and soon began to lose all self-possession. However, he was able to remind his companion of the promise he had made to sing an Irish song.

One of the ruffians commenced singing a rude doggrel, and had scarcely concluded the first stanza, when the poor soldier, overpowered completely with the quantity of liquor he had stowed in, and the heat of the strong fire by which he sat, sunk into the arms of Morpheus, gloriously oblivious

of his express, and quite insensible to all surrounding objects.

The villains now had their desire accomplished. The unfortunate soldier was completely in their power. They laid him prostrate on the floor, and unbuttoning his great coat, thrust their hands into his breast pockets.

"Ho, ho!" exclaimed one of them; "how secure you thought yourself, you villain," and he pulled up two massive cavalry pistols.

"Show me them," said Biddy; he gave them into her hands, and she plunged them *volens volens* into a large tub of water. "Ho! the bloody dog, id's little he'd think ov blowing the brains out of a poor Irishman wid one of them d——d bull-dogs." She then replaced them in the pocket from whence they had been taken, and laughingly remarked that "their thirst was quenched, and as their Sassenagh master was fond of a sup, what blame was it to them, the crathurs, to wish for a dhrop to wet their whistles."

They then commenced rummaging his waistcoat pockets, and pulled up several gold and silver coins.

"What lucky scapes we are," cried they, "to have pounced on such a God-send. By my sowl the English churl won't have much cause to boast of the generosity of the 'Hirish fellars' in the morning;" and they began with the greatest *sang froid* to poke up the money from the soldier's pockets.

"Oh musha, Tom!" cried Biddy, "is id going to rob the man—the king's man and all—you are upon *my* decent floor. Oh, blood and thunder anouns, do you want to have us burned alive in the house, and hung like dogs aftherwards. Go and lie in ambush for him on the Abbeyleix-road; it is as dark and lonely as hell idself, and Jack and I will decoy him that way as soon as he wakens."

"Ah, bud did you not show him the right road to Durrow, when he inquired awhile ago?"

"Devil a matter for that," said the firebrand; "he is so stupid now, that I can easily blink him."

"Glory to your sowl, Biddy," shouted the murderers; "you always had the *gumption*. In half an hour start him off, and we will be prepared to meet him with all due honours."

The assassins now bade their host and hostess "good night," and bent their way to a solitary and dreary spot on the high road leading from Mountrath to Abbeyleix. It was indeed a spot well adapted to favour the dark designs

of the murderers. High and gloomy trees overshadowed the road, and there was not a human habitation within a considerable distance of the locality. The night was intensely dark; there were, indeed, a few stars faintly visible through the deep clouds, but their wan radiance was calculated more to dazzle and confuse, than to assist the visual organs. The murderers walked silently and quickly along until they reached the spot which they judged best for their purpose. Here they cowered down beneath a huge old elm which overhung the hedge, and commenced preparations for attacking the unsuspecting trooper, whose arrival they now impatiently expected.

Jack and Biddy, in the meantime, held angry conference respecting the soldier,—

“Arrah, Biddy, *agrah*,” said Jack; “shure he is a fellow Christian, and it’s not right to kill him.”

“Well, no more of your goshen,” said Biddy, “but go waken the drunken brute, and don’t keep the decent boys waiting in the could blast.”

Jack, knowing how vain it was to temporise with his wife, went in, roused the sleeping trooper, and led him to where his horse was still standing shivering with cold and fatigue.

“Oh, poor Ajax!” said he, addressing his charger, “you are nearly done, but when you arrive at quarters you shall have plenty of rations.”

Jack assisted him in mounting Ajax, and, as he was just about to set forward, he suddenly inquired:—

“I say, where are my comrades?”

“Oh, sir, their horses broke out of the stable, and they had to pursue them,” said Biddy; “they are half-ways in Durrow now, for that’s the road the garrons took.”

“Then I must even go alone?”

By gad you must, sir. But fire and ouns, sir, where’s the reckonin’?”

“Umph,” said the trooper.

“The reckonin’, sir.”

“What do you call the reckonin’?”

“The money you drank, sir,” said Biddy.

“Ay, ay, now I see—how much is it?”

“Oh, indeed, I may say nothing, sir. Only six shillings sir.”

He put his hand unhesitatingly in his pocket, and paid Biddy her “reckonin’.”

“Thanky, sir,” said the impostor, “and long life and lashins of money to you, that hasn’t your heart in id.”

It was now nearly midnight, and the soldier proceeded along quickly, for his favourite Ajax was a noble and powerful animal, and bore his master along at a rapid pace. The murderers soon heard the tramp approaching, and set themselves in an attitude of attack. Tom had a large pistol, and it was concerted that he should shoot the horse, and then they would be sure of their victim. In a few minutes he was up, and as he came opposite Tom fired with unerring aim, and wounded the gallant animal in the head. He fell, and his helpless and half-stupid rider was thrown with considerable violence into the ditch opposite. Before the echo of the explosion had expired on the night breeze, the other two villains jumped from their covert, and running over to the prostrate trooper, commenced beating him with their heavy bludgeons in a barbarous manner. It was in vain he sued for mercy; there was none for him. They never desisted until the wretched man was quite dead. They then rifled his pockets, taking his pistols, and stripping him naked, they decamped through the darkness of midnight.

Next morning the dead man was found on the spot where he was so brutally murdered. The body exhibited a most appalling spectacle, in a state of perfect nudity, and covered all over with cuts, bruises, and clotted blood. The road was besmeared with gore also; both horse and man had bled copiously, insomuch that a small lough of water in the ditch where they lay, appeared like a pool of blood.

The persons by whom the corpse was found removed it to the next cabin. The inmates, however, refused to admit it, alleging that it was unlucky to admit *any* corpse, much so one which, for aught they knew, was never "anointed," or maybe "baptised;" and maybe, worse than all, it was the corpse of a heretic, or a Jew, or a quaker. It was accordingly placed on a wisp of straw in the ditch until a party of his comrades arrived, who removed it to Maryborough, where it was interred with military honours.

The murderers were never discovered; large rewards were offered, to be sure, for such information as might lead to their apprehension, but in vain. The troop to which he belonged soon marched from Maryborough. The regiment shortly after went abroad, and the affair was soon hushed in oblivion.

The poor soldier, however, was not permitted to sleep quietly even in the churchyard. His corpse was scarcely cold in the clay, when all the good folk of Killeany Togher and its vicinity were frightened from their propriety by the

appalling apparition of the trooper and his white horse. Night after night he was seen, mangled and bloody, riding naked on his gallant Ajax at a furious gallop along the road between the domicile of Jack O'Hara and the spot where he closed his mortal career. Invariably, at the "witching hour of twelve," he made his appearance; nor did one night in the year pass by without his paying his nocturnal visit to Mr. and Mrs. O'Hara! He would be seen charging poor Ajax with the spur, and galloping back again to the spot where he was murdered. Sometimes it was said he would appear quite naked; at other times he would be fully equipped in scarlet jacket, sword, and carbine, with, as Biddy O'Hara would say, "a big brass helmit wid long plumes dangling to his shoulders like the hairy-tails!" The next night he would have on his "white settos" and "little glazier!" Other times he would have no head on his body, and again, he would have *his* head, but "the devil a one would Ajax have!" Any how, he was an evil spirit, and what wonder—an Englishman, a Sassenagh, a heretic, and a soldier, and, worse than all, "cut away in his sins, without as much time as he'd bless himself, even if he knew how, which he didn't, the unsanctified brute."

At all events, whether the ghost of the poor trooper was an evil one or not, it kept the peasantry of the district in perpetual alarm. No one dare venture to put out their nose after nightfall; and the wake, the dance, and the card school were entirely deserted. The "boys" were obliged to give up the idea of visiting their sweethearts, and the "*thackeens*—the crathurs," were obliged to wile away the tedious hours as well as they could, without having their uncouth and weather-bronzed beaux "discoursing most eloquent music" at their thirsty ears. The farmers were obliged to return from fairs and markets long before their wonted hour; so much had their *dread* of the *spirit* of the trooper gained the ascendancy over their *love* of the *spirit* of whiskey! In fine, nothing was heard or talked of for miles round but the trooper's ghost; and there was no one but had some new story of his own, each more harrowing and appalling than the other.

Affairs continued in this sad plight when, about Shrove-tide following, a pretty little damsel of the neighbourhood was to be married to the lad of her choice. The wedding night came, and of course all the uncles and aunts, and cousins, and gossips of both bride and bridegroom came along with it. As she was a decent mother's daughter, and

one of the "ould stock," the priest would not marry the couple at his own residence, but paid them the respect to come to the house of the bride to tie them.

It was a right plentiful and merry wedding, and amongst the gayest of the gay was the worthy parish priest. What songs were sung—what plays were played—what dances were danced—what rounds of bacon and corned beef were demolished—what kegs of potteen whisky were tipped! In fine, what sport, what fun, what madness and dissipation they had at pretty Peggy Delany's wedding, I will not attempt to describe. Those who have "had the luck" to be at an Irish wedding, may form a pretty good idea of Peggy's bridal night; but to those who have not, any attempt at description would be useless. Sorrow and care and the trooper's ghost were given to the winds, and if the spectre was at all alluded to, it was in a tone of defiance and contempt. At length the priest arose to depart; he was much pressed to remain, but would not, and took his leave, accompanied by two young men of the party. Their way lay through the scene of the spectre's midnight parade, and the young men expressed a wish that they might meet him until the priest would "speak" to him and banish him for ever "to the bottom of the Red Sea!" The night was a calm and gloomy one, and as they went along a considerable portion of their former hilarity forsook them. They had not gone very far when one of them grasped the priest by the waist. "The trooper, the trooper!" he vociferated, "behold him galloping down the Pound-hill like the devil himself."

The priest stood and signified his intention of speaking to the apparition. He now approached them, and the unearthly clattering of his footsteps fell sadly and awfully on their ears. At length the dreadful sprite was up with them, and the priest raising his arm, commanded him in a loud voice to "stand still."

The ghost obeyed, and as he stood, Ajax, as they say, pawed the ground impatiently!

"Who are you, or what are you," demanded the father, "that dares to interrupt me?"

The ghost emitted a hollow and unearthly groan.

The hearts of the priest's companions died within them. The fumes of the potteen had evaporated, and with it fled all their vaunted magnanimity.

"Whether you are ghost or devil," said the priest, "I command you not to hurt a hair in my head; and more

than that, I command you to appear on this road no more, but from this night forward to take your stand on the top of that old castle below, and there to continue 'till time shall be no more !"

The ghost uttered another piercing moan, and opening his mouth, said in a deep sepulchral tone :—

"I am ready to obey your mandates ; I am the ghost of the trooper who was inhumanly murdered here last winter. I have one request to make, which is that you will allow me to take my station along the river Nore, instead of being perched on the pinnacle of that old castle, exposed to the storms and snows of coming ages."

The priest paused : at last he consented, on condition of his promising never to molest a human creature in his nightly perambulations along the banks of that stream.

The ghost promised implicit obedience, and uttering a superhuman scream, tore through the tall bushes at the way-side, and galloped off towards his new destination.

From that good night to this, never has the Trooper's Ghost given any trouble to the good folk of Kelleany Togher. But often, however, in the gloom of winter, and amid the moonlight haze of summer, may the echoes of his unearthly footsteps be distinctly heard galloping furiously along the winding banks of the transparent Nore.

Such is my legend of the "Trooper's Ghost;" my readers may believe it if they like—if not, they are welcome to reject it with a "*Cead mill faeltha*."

NATIONAL LITERATURE.

III.—GERMANY.

SCHILLER'S ROBBERS.

(Continued from page 164.)

We now come to the beautiful, the sweet bright spot amid these stormy scenes—the character of Amalia—and sure, never poet encircled the child of his fancy with a purer halo of loveliness and love. She is placed in present contrast with Franz, the darkest creation of the piece, whom the author has caused to appear still more odious, by making him feign nobleness of soul and gentleness of heart. Thus Amalia accosts him when they meet in her chamber in the castle of Moor.

“Oh!” she cries, reverting to Carl, “to have treated his son thus! To revel in the enjoyments of life, while his son suffers every privation. His only son!”

“*Franz.*—Methought he had two.

“*Amalia.*—Ay! such as you he deserves to have. Oh! it is sweet, 'tis heavenly sweet, to be cursed by thy father. Say, Franz, dear, fraternal soul, what must one do to be cursed by him?”

“*Franz.*—You rave, my beloved. You are to be pitied.

“*Amalia.*—Oh! I pray you, do you pity your brother? No, monster! you hate him. I hope you hate me too.

“*Franz.*—I love you as I love myself, Amalia.

“*Amalia.*—If you love me, you cannot refuse me one prayer.

“*Franz.*—None, none! If it costs me not more than my life.

“*Amalia.*—Oh! is it indeed thus? A prayer you can so easily grant. (*Proudly.*) Hate me! For I should blush with the deepest shame when I think of Carl, if I could suppose for a moment that you did not hate me.”

Franz, seeing the strength of her affection, endeavours to shake it to its very foundation by the most cunning falsehoods; but the holy faith of the artless girl detects every fraud and triumphs over every attempt. The hardened plouter affects himself to admire Amalia's constancy and draws a glorious picture of her love for Carl, then, ap-

parently half in thought, he adds: "Inhumau—crnel ! Thus to repay her love ! Thus to forget her, who——"

"*Amalia*.—How ? Forget me ?"

Franz then tells his false and specious tale, how Carl sullied his love by the most shameless debaucheries, how he gave Amalia's ring to a common harlot, how he desecrated her name—and, meanwhile, he aggravates the bitterness of the revelation by the most stinging comments, made apparently in thoughtlessness. Then he draws a bright contrast of what he would have done, says how he would have treasured the precious gift, and to give, as he thinks, the death blow to her affection, incapable as he is of recognising its pure and holy character, describes Carl as an altered being, a walking death, a living pestilence. Amalia listens, she almost believes, for the body may become a wreck ; but when Franz adds, that the very soul of Carl is changed, that he has grown a dull, spiritless sensualist, lost to every better feeling, then comes the beautiful triumph of Amalia's confiding love. She starts up with exultant joy: "Ha ! Carl !" she cries, "I recognise thee again. Thou art still the same."

It was all a falsehood. Carl's soul could never change.

Indefatigable in villany, Franz now has recourse to another artifice. He applauds Amalia—affects wrath and indignation at his father's tyrannical conduct, and offers to sacrifice himself to obtain Carl's pardon and return. This moves the artless, warm-hearted girl, and Franz solicits her pardon for the falsehoods he had been relating, says he had but put her constancy to the test, and then, reverting to himself, he adds, alluding at the same time to Carl: "Oh ! Our souls harmonised together. Our predilections, our passions, were the same. How often I have said to myself: you are another Carl,—his echo,—his image !

"*Amalia*.—No, no ! By yon chaste light of heaven !—

"*Franz*.—How can you still doubt, Amalia ! when our love is riveted on one perfection, and where our love is the same, how can our hearts degenerate ?"

Amalia looks at him in astonishment, and he proceeds: "It was on a bright and quiet evening, the one preceding his departure for Leipzig. He took me into yonder arbour, where so oft ye sat together in dreams of love. We were long silent—at length he took my hand and said, in a voice broken by sighs, 'I leave Amalia, and I have a foreboding, I know not why, that it is for ever. Abandon her not, brother. Be her friend—her Carl—if Carl—should not return—' (*Franz falls at Amalia's feet, and*

kisses her hand with ardour.) He will never return--never--never! And I promised it with a sacred vow."

The veil now falls from Amalia's eyes, for what is so clear-sighted as the eye of love?

"Traitor!" she cries, "now I have detected thee. In that very harbour he implored me—that no other love—should he die—oh! Behold! How unhallowed, how iniquitous thou art!

"*Franz.*—You misjudge me, Amalia. You know me not.

"*Amalia.*—Oh! well! too well! From this hour I know thee well; and thou wouldst aspire to resemble him? He weep for me in thy presence! ————— Go. You have robbed me of a precious hour—an hour, in which I might have been in thought with Carl.

"*Franz.*—You hate me.

"*Amalia.*—No! I despise you."

The evil heart now throws off the mask. Franz departs on uncontrollable anger, with the words: "It is well. Now you shall tremble before me. Sacrifice me to a beggar?"

Thus the last link that still restrained him is cast aside, and the evil spirit treads the arena as an open and uncompromising foe, while Amalia's gentle defiance is heard in the words: "Go, recreant! Now I am alone again with Carl. Beggar, said he, then the world has turned round; beggars are kings, and kings are beggars. I would not change the rags he wears for the purple of the Lord's anointed. The look with which he begs must be a great, a kingly look—a look that annihilates the glory, the pomp, the triumph of the great and rich. To the dust, unmeaning baubles. (*Tearing the pearls from her neck.*) Carl! Carl! thus I am worthier thee."

The first grand action of the tragedy has passed. Carl Moor is the leader of robbers, he has rushed headlong into his terrible career, caught in the net his unnatural brother spread; the weak and aged father, deceived and heart-broken, is hurrying to his grave; Amalia alone, strong and glorious in her love, still struggles in the toil. All is prepared—the moral fall has taken place, the three leading characters, Franz, Carl, and Amalia, are developed before us. It now remains to be seen how they will act under their varied fortunes; how they will combat disaster; how the two fierce spirits, opposed to each other, will redeem or lose themselves for ever.

All has proceeded according to the wish of the evil plotter, but his triumph comes not swift enough for his desire. The Count still lives, the physician even says he is recovering, and thus Franz mourns over the lengthened life of his father.

"Must my plans bend beneath the iron yoke of a piece of mechanism? Must my soaring spirit submit to be chained to the snail's pace of material existence? 'Tis but extinguishing a lamp, that at the best only lengthens out its last oil—no more. Yet I would not like to do the act myself—I would not have him slain, but dead.—We can in reality prolong our life, why should we not as well be able to curtail it?

"Philosophers and physicians tell us how wonderfully the moods of the spirit influence the condition of the body.—The passions abuse the vital power. The over-burdened spirit weighs down its dwelling too. What, if one knew how to lead death on this untrodden path into the palace of life? To destroy the body by means of the soul? Ha! An original undertaking. Could any one do that? An incomparable work. Reflect, Moor. It would be an art, worthy thee for its discoverer. Is not the art of poisoning brought almost to a science? Have not repeated experiments forced nature to reveal its limits, until one can count the hour when the heart shall cease to beat, long years before its advent, and say to the pulse, thus far and no further? Why should not this strange flight be tried as well?

"Then how must I proceed to destroy the sweet, peaceful harmony of soul and body? What feelings must I choose? Which attack most fiercely the principle of life? Anger? A ravenous wolf, but he satiates himself too soon. Sorrow? A worm, that gnaws too slow. Care? An adder that creeps too slothfully. Fear? Hope still checks its progress. What? Are these all the murderers of man? Is death's arsenal so soon exhausted? (*In deep thought.*) How now? What? No! Ha! (*Starting up.*) Terror? What cannot terror achieve? What power have reason and religion in this giant's icy-cold embrace? And yet if he should withstand even this storm? If he should? Oh! then come thou to my aid, Agony of Soul, and thou Repentance! Fury from hell!—furling serpent, to whose fangs the flesh still grows, to whose tongue the ulcer mortifies the more, who eternally createst fresh venom for that which thou destroyest. And thou, howling Self-Accu-

sation ; who dost undermine thine own abode, and wound thine own parent. And ye, too, come to mine aid, even ye, benignant Graces. Thou, softly-smiling Past, and thou, with thine overflowing horn of plenty, blooming Futurity ; mirror before him the joys of heaven, and when with fleeting feet ye glide away from his eager arms, then blow on blow, storm on storm, I will rage against that fragile life, till at last Despair shall close the band of furies ! Triumph ! triumph ! The plot is ripe. Difficult and profound as any, but sure and certain—for (*in a mocking tone*) the dissector's knife will find no trace of wound or of corrosive poison. To the work then ! (*Herrmann enters.*) Ha ! *Deus ex machina !* Herrmann !”

Herrmann, a servant of the house, is the tool he uses, the vessel, as it were, to convey this subtle draught. He is easily won over, for an invisible attraction exists between the evil of heart. Meanwhile Count Moor is slowly recovering from a dangerous illness, into which he had been plunged through grief at Carl's supposed misconduct, and though we have heard Amalia upbraid him for his cruelty before, now that the hand of sickness, perhaps death, is on him, she is his tender nurse, she watches his sleeping and beguiles his waking hours. Still she is sitting by his couch, despair at her heart, when a messenger, the bearer of important tidings, is announced as waiting for admission. “If he is a beggar,” Amalia exclaims, “then bring him here with speed.”

Franz enters with Herrmann in the disguise of a way-worn soldier. It is the moment when Franz first opens the artillery of death, upon his weak, infirm old father.

Herrmann relates that he was a fellow-student of Carl at Leipzig, whence the disinherited son roamed as a beggar through Germany, and at length he entered the army of the great Frederic. “I have no longer a father,” he was wont to exclaim, “let me die on the bed of heroes.”

“*Count Moor.*—Do not look at me, Amalia.

“*Herrmann.*—He procured a commission, and we became comrades. He spoke much of his aged father, of past and happier days, of frustrated hopes.—Eight days later the memorable battle of Prague was fought. Carl bore him like a veteran soldier—he stood when all else fled—a ball shattered his right hand—he grasped the standard in his left, and stood—”

“*Amalia (with enthusiasm.)*—He stood—oh ! do ye hear—he stood !

"*Herrmann.*—Towards evening I found him lying on the field of battle, with his left hand he staunched the streaming blood, his right was buried in the ground. 'Comrade,' he cried, 'it was reported that our general had fallen an hour ago.' He has fallen, I replied, and you?—'Then, whoever is a faithful soldier, follow his general.' With the words he withdrew his left hand from the wound, let the blood flow, and died. His last command was: 'Take this sword to my aged father, the blood of his son clings to it—he is avenged—let him be joyful. Tell him his curse drove me to battle and death, and that I fell in despair.' His last sigh was 'Amalia.'

"*Amalia (starting as from slumber.)*—His last sigh was 'Amalia!'

"*Count Moor (in an agony of grief.)*—My curse drove him to death! He fell in despair!

"*Franz (feigning deep grief.)*—Oh, father! what have you done? My Carl! My brother!'

Now is the time, and Franz knows how to use it. It is a part of his plan to paint Carl in the brightest colours (as erst it served his purpose to calumniate him), thus to make the father regret his lost son the more, repent the deeper all his cruelty. Nor does the schemer forget the other end he had in view, that of winning the hand of Amalia, and making it appear an act of obedience on her part, towards the dead. Herrmann feigns that Carl gave him her portrait, with the injunction to deliver it to Franz. This appears so incredible, that Amalia, with the deep intelligence of love, accuses Herrmann of being a bribed impostor. He quails beneath her scrutiny, and the agony of Count Moor is so intense, that even he, hardened as he is, relents, and departs with a reproach to Franz. It was necessary that even the blackest heart should be pure, compared to that of the master-fiend.

"*Amalia (calling after him.)*—Stay! stay! What were his last words?

"*Herrmann (going.)*—His last sigh was 'Amalia.'

"*Amalia.*—His last sigh was 'Amalia! (*She feels convinced at these words.*) No! thou art no deceiver. Then it is true! he is dead! dead! Oh! Carl is dead!

"*Franz (examining the sword of Carl.)*—What see I? What stands written here? Do I see right? Do I dream? Behold! in letters of blood: 'Franz! abandon not my Amalia!'

“Behold, behold! on the other side. ‘Amalia, all-powerful death has annulled thy vow.’ Dost thou mark? Dost thou believe at last? He wrote it with stiffening hand—with his warm heart’s blood, on the solemn verge of eternity. His fleeting spirit paused to write Franz and Amalia.

“*Amalia (not recognising the counterfeit hand.)*—Holy heaven! it is his hand-writing. He can never have loved me.”

Though this seems a strained plan for gaining Amalia’s love, she falls, for the time, completely into the snare, and Franz triumphs at once over either victim: the inexperienced girl, and the aged, care-worn father.

Fearful is the grief of the Count, and his unnatural son now drives the shaft he has been sharpening, home to the heart. “Who was it cursed him?” he asks. “Who was it drove his son unto battle, and death, and despair? Oh, he was an angel. A peerless gift from heaven. Curses on his murderers. Curses, curses be upon thyself!”

Again: “What avails a tardy grief? (*with mocking laughter.*)—It is easier to murder than to bring to life again. Thou wilt never call him back again from his grave.

“*Count Moor.*—Never! never! never! And thou did’st tear the curse out of my heart. Thou! thou! Give me my son again!

“*Franz.*—Rouse not my anger. I leave thee in thine hour of death.

“*Count Moor.*—Monster! Monster! Give me back my son. (*He starts up and seizes Franz, who dashes him away.*)

“*Franz.*—Powerless skeleton, dare you? Despair and die!”

Franz departs with these words, leaving his father to his despair; but the weeping Amalia enters, and her words are gentle as those of an angel come to unlink the fetters of the soul: “You have lost a noble son?”

“*Count Moor.*—Murdered, you mean.

“*Amalia.*—No, no; unhappy old man! Our heavenly father has called him away. We should have been too happy for this earth. Yonder—yonder—above the stars we shall meet again. Death is flight into his arms. Happy thou; thou art to be envied. Why are not these limbs decayed, these tresses white? Alas, for the strength of youth! Welcome, feeble age! nearer to heaven and to Carl!”

Suddenly the Count feels the hand of death, he asks for his children, but Franz has left him, and as he sinks back in his chair, Amalia flies with the words, "Dead, dead; now *all* is dead!"

At the cry Franz enters in ghastly triumph: "Dead, cry they, dead. Now I am Lord. Throughout the castle ringeth, Dead? How, perchance he only *sleeps*? Ay, ay! Sleep and death are twins. We'll change the names for once. We will call it *Death*! (*He closes the eyes of Count Moor.*) Who dare come now and summon me before justice? Who dare call me villain to my face? Away then with this wearisome mask of gentleness and virtue. Ye shall now behold Franz unmasked, and shudder."

With this fearful triumph of Franz the scene closes, and, although no one can deny its power, the question arises as to its expediency. The author has portrayed a *fiend*, and not a *man*; therefore, will a man be so far interested in the result, as to be able thence to deduce a moral beneficial to himself? Surely an author errs when he chooses the improbable, the barely possible, the unnatural, for his theme. He then writes only for the imagination, not the heart.

The swift action of the piece now brings us to the forests of Bohemia. The robber-band had been formed, and Spiegelberg, who has just returned from an expedition with a troop of fresh recruits, is, in his usual boasting vein, narrating his adventures, and his method of depraving the honest heart till it grows ripe for sin, to Razmann, who replies, by describing some of Carl's exploits:—"He does not murder for the sake of plunder," he continues, "for even his rightful third of the booty he gives to the orphan, or enables, through its means, poor young men of family to study at the University. But let him set about punishing a nobleman, who oppresses his serfs, or a magistrate, who perverts the law—or a man who buys it,—fellow! I tell thee, then he is in his element, and storms like a demon, as though a fury raged in every fibre of his body."

What he relates of Carl Moor's actions is so contrary to the low and inhuman villanies practised by Spiegelberg, that the latter begs Razmann not to tell the Captain the tale of butchery and cruelty he had previously boasted of. For the deeds of Carl designate the *Avenger*, not the *Robber*, the man who strives to grasp the justice-sword of the Most High—*Not the man who braves it*. Thus, on a recent occasion, he heard that a wealthy nobleman from Regens-

burg, was travelling homeward with a strong escort, and a million of treasure won in a law suit, through chicane and bribery. With only five confederates, the Captain prepared to waylay them, and in open day. "We set forth," says Razmann, "the Captain spoke not a word, and walked on at a distance from the rest, only asking from time to time, if we saw no signs of the expected booty, and ordering us to lie down and listen. At length the carriage of the nobleman made its appearance, the lawyer sat by him, a horseman rode in advance, attendants on either side—you should have seen the Captain then, a pistol in either hand, rush in advance of us towards the carriage—you should have heard the voice with which he cried '*Halt!*' The postilion, who would not stop, was hurled from his seat—the Count fired, and missed—the horsemen fled. '*Thy treasure, slave!*' he thundered, and the noble lay at his feet, like a steer felled by the axe. '*Art thou the villain who turns justice into a venal harlot?*' and at the words, he plunged the dagger into the trembling lawyer. '*I have done my part,*' he cried, turning proudly away, '*the plundering is yours!*' and disappeared in the depth of the forest."

While Razmann is thus dwelling on the life of the Captain, Schwarz suddenly enters, breathless with the tidings, that Roller, the best and noblest of the troop, the only one whom the Captain thought worthy of his friendship, had been seized by the officers of justice, cast into prison, tortured, and was to be executed that very morning. Carl Moor had heard of this only the day before, and in the disguise of a monk rushed to the prison, gained admittance, and implored the captive to change garments with him, and fly. But Roller would not save his own life at the expense of that of his friend—and Moor took a solemn vow to kindle such a funeral torch for his obsequies, as never yet adorned those of a king. Spiegelberg, ever true to himself, jests at his misfortune, but his heartless merriment is speedily interrupted by the sound of firing, and presently Carl Moor and the robbers enter, bearing with them in triumph their liberated comrade, who was rescued by Carl Moor in a sudden attack upon the town, which was burnt to the ground, and the powder magazine blown in the air.

"Do you know, Shufterle, how many were killed?" Schweizer, asks one of the robbers.

“ *Shufsterle*.—Eighty-three. The powder magazine alone crushed sixty.

“ *Moor*. (*Solemnly*.)—Roller! *Thou art dearly bought!*

“ *Shufsterle*.—Pah! Pah! What is that? They were only the infirm and sick. All the better part had left the town to look at the raree-show of Roller’s execution.

“ *Moor*.—Alas! The unhappy creatures! The sick, say you, the infirm, and helpless children?

“ *Shufsterle*.—Ay! (and he coarsely continues to enumerate those whose infirmities had kept them in their homes.) Accidentally passing an old house, and hearing a cry from within, I looked in, and what do you think I saw by the light of the flames? A child, still strong and healthy. It lay on the ground under a table, that had just caught fire. Poor little thing! I cried, you will perish of cold here, and threw it into the flames.

“ *Moor*.—You did? *Shufsterle*!—May that flame burn in thy heart, till eternity grows grey. Away, monster!—Let me never see thee again in my band. Do ye murmur? Do ye hesitate? Who dares hesitate when I command? Away with him.”

Thus sudden are the changes in the heart of man, that he, who but erst repined over his lost innocence, recoiled in horror from his companions, now links himself for ever with those men. But the transition is true to nature. The same fine feeling that awakened the regret, likewise causes the void.

The band is now joined by a young nobleman, named Kosinsky, who has suffered such outrages at the hands of his prince, that he determines to join Moor’s robbers, thus, in the spirit of Carl, to avenge himself upon mankind! He seeks the Captain, and on beholding Moor, exclaims:—“Thou art he, by thy countenance! Who could behold thee and seek another!” (*Gazing long and intently at him*.) “I always wished to see the man of the exterminating glance, as he sat on the ruins of Carthage! Now I wish it no longer!”

Much to the astonishment and anger of the robbers, Moor for a long time refuses to receive Kosinsky into his band, and tries every means to dissuade him from such a step. This is an important feature in the developement of the robber-chief’s mental life, in as far as it shows, that his recent vow was not the effect of changed feelings with regard to his career (for he had seen the error into which he had fallen in believing himself to have received from heaven

a delegated power of retribution upon the race of man—the dream, that a mortal could grasp the justice-sword of the Eternal—when about to fly from his associates before the encounter with the government troops), but solely caused by the belief, that the bonds of gratitude bound him to his companions, and by the resolution not to save himself and sacrifice men whom he had led to the position they now filled.

But Kosinsky, in the course of the interview, reveals the story of his life; how, on the nuptial eve, his promised bride was torn from his side—forced to the prince's palace—himself falsely accused of treason, and sentenced to death—the price of his life being the dishonour of his beloved! How, when he attempted to avenge himself, his estates were confiscated, and given to the very courtier who had arranged the plot, and how he was declared an outlaw and driven across the frontiers. When Carl Moor, in addition to this, learns that the name of Kosinsky's beloved is *Amalia*, the long concealed passion bursts forth—the probable analogy strikes him between her fate and that of *his Amalia*; love sweeps over his darker visions in a burning glory. “I must see her,” he cries, “Arise! away! she weeps! she mourns!—Rise! Haste! To Franconia! In eight days we must be there.”

The angel has returned to the heart of the outcast—he *loves again*—he is again capable of a pure and holy feeling, it is an augur that he has come to a tarrying place upon the downward path, that the moment has arrived when the fierce wanderer may return a penitent before the gate of heaven—for, as sin first finds its way through earthly passion into the human heart, thus it is again through earthly passion that virtue is recalled.

Moor, under the assumed name of Count Brandt, revisits his paternal home, and in the opening of the fourth Act, we find him standing at the gate of his father's castle, and though he had hastened towards it through many a weary mile, he hesitates upon entering, and is about to fly, so great is the contrast between his past life, and that one which seems to await him within his paternal threshold. But the thought of *Amalia* triumphs, he cannot return without having seen her again—the recollection of his crimes haunts him. “Away! away!” he cries, “thou black and smoking blood! Away! hollow, horrid, quivering glance of death! Haunt me at dawn of day—leave me not at fall of night—torture me in horrid dreams—but oh! poison not this last, this only joy.”

He enters, but the cup is poisoned—he may not pass that threshold the same as he did of yore, and not memory alone is his torture, she is joined to a dark foreboding. He hopes still to find his father; but he is soon undeceived, and we find him unrecognised, walking before the ancestral portraits, with Amalia, his beloved. He recognises his father's, his own—as he was in the first gladness of youth. Amalia strives to evade his question, when he asks her: “Whose is that portrait?” and unable to repress her emotion, bursts into tears and hastens away.

“She loves me!” Moor exclaims in an extacy of joy—but the next moment his own undeservingness, the supposed curse of his father, chase the brightness from his heart, and he rushes from the mute presence of the accusing portraits, arraigning himself as the cause of his father's death.

Scarcely has the fiery, heart-wrung bandit vanished, before Franz, like a stealthy demon, glides over the scene. He has suspected the identity of Carl with the lofty stranger. “I ought to recognise him,” he cries, “there is something so grand, so familiar, in his wild and sun-burnt countenance.” Then: “He shall join the spirit of his father! I laugh at the dead!”

The evil-hearted are ever suspicious, and thence Franz believes his brother to be conspiring with Daniel, an old servant of the house, for his destruction. He questions the latter, and though he can extort no confession, where there is only innocence, he gleans enough to turn his surmises into certainty, and to convince Daniel as well, that the stranger is his long-lost master. He then, by the most horrid threats, forces a promise from the weak old man to murder his brother on the morrow. Franz triumphs in the anticipated crime, and fallaciously reasons away “the furies that hover around the name of *murder*!” spurning and mocking conscience, and, in the plenitude of his evil spirit, denying the existence of God, and that of his earthly voice; a true conception of the poet, for had he worshipped God in *any* form, or under *any* name, he could not with cold blood have rushed through the fearful labyrinth of sin in which he is involved.

A new period now arrives in the career of Carl—the period in which, fold after fold, the curtain, that veiled the crimes of Franz, is withdrawn, and he sees the naked horror standing palpably before him. Daniel, escaped the odious pre-

sence of his master, hastens to the stranger, and recalling to his memory many a scene of his childhood, the days in which he nursed him in his arms, forces him to throw aside his disguise, and then, in broken hints—for the timid, aged serf trembles at the very name of Franz—says enough to reveal the dreadful secret, and departs in terror at the disclosure he has made.

It is then the unhappy victim for the first time learns the arts by which he has been ruined—not his *father*—no, his *brother*, drove him to destruction; his father's heart was full of love, and hope, and sorrow. He died while blessing him, and the outcast was cheated of his heritage—of heaven, by a brother's hate. He stands overwhelmed by the horrible treachery, and then he turns to fly—for a moment's delay might goad him on to madness, and prompt his steel against a brother's heart; fearing himself he turns to fly—for he knows not as yet of the master-crime, the *parricide*! and he has been taught, by bitter experience, to leave the vengeance of his own wrongs unto God.

“Brother, brother!” he cries; “thou hast made me the most miserable of mortals. I never injured thee. Oh, that was not brotherly! Reap the fruits of thy crime in peace, my presence shall not longer embitter thy enjoyment. Darkness extinguish thy crimes for ever, and death shall not stir up their memory.”

Kosinsky announces, obedient to Carl's behest, that all is prepared for their departure, but the outcast cannot leave his heaven without one farewell to the angel who had summoned him. “Wait, Kosinsky, but ten minutes longer, behind, in the castle-court, and we speed away.”

Now comes a touch of nature, true to the human heart, true to Amalia. *She loves the stranger*, not dreaming it is Carl. His voice, his looks are the same; and her heart loves, but her faith combats that love.

“Away, thou syren spell! My heart has not space for two deities. I'm but a mortal maiden!”

And Carl finds her gazing at the portrait he had given her in former, happier times, as a safeguard against his supposed prototype. This seeming infidelity but shows the strength of her faith, the truth of her love—the same perfections that she once adored she worshipped still, but would refuse the involuntary homage.

“*Carl Moor*.—Who is the blessed one for whom a tear silvers the eye of an angel. May I, too, pay homage there?”

" *Amalia*.—No !—Yes !—No !

" *Carl Moor*.—(*Recognising his own miniature.*)—Ha ! and does he merit—does he merit to be thus deified ?

" *Amalia*.—Oh ! had you known him.

" *Carl Moor*.—I would have envied him.

" *Amalia*.—*Worshipped*, you mean to say.

" *Carl Moor*.—Ho !

" *Amalia*.—Oh, you would have loved him. There is so much in every feature, in the tone of his voice, in his eyes, so like yours—"

And, in the excess of her love for Carl, she is carried away by a holy enthusiasm and forgets that she is speaking to a stranger—that her words, her feelings, may be falsely interpreted. The pure heart, knowing its own purity, dreams not that it can be misconstrued.

" *Carl Moor*.—And is he dead ?

" *Amalia*.—He sails on stormy oceans, with him sails *Amalia's* love ; he roams through trackless, sandy deserts, and *Amalia's* love decks the burning sand under his feet with flowers, and the wild thorn with blossoms ; noon scorches his uncovered head, and the northern snow withers his frame, hailstones rain on his brow, but *Amalia's* love lulls him amid storms ; oceans, mountains, climes are between them, but their souls burst from their earthy prison, and meet in the paradise of love.—Count, you seem sad.

" *Carl Moor*.—The words of your love re-awaken mine."

The latent, unowned feeling in *Amalia's* heart, is developed in her reply ; she tries to stifle her love for the stranger, but in vain—her *heart has recognised him though her senses have not*.

" *Amalia*.—(*Turning pale.*)—How, you love *another* ? Alas, what have I said ?

" *Carl Moor*.—She believed me dead, and to the dead remained true. She heard again, that I still lived, and for me she sacrificed the diadem of a saint. She knows I roam through deserts, wander in misery—and her love follows me through misery and deserts. Lady, she is named, even as you, *Amalia* !

" *Amalia*.—How I envy your *Amalia*.

" *Carl Moor*.—Oh, she is an unhappy girl ! Her love is given to one who is lost, and will never, never be rewarded.

" *Amalia*.—No ! It will be rewarded in heaven. Say

they not, there is a better world, where the sorrowful are gladdened and the loving meet?

“*Carl Moor.*—Yea! a world where the veil is withdrawn, and the loving meet—a *dreadful* meeting! Eternity is its name. My Amalia is an unhappy girl.

“*Amalia.*—Unhappy? And you love her?

“*Carl Moor.*—Unhappy, because she loves me. How, if I were a *murderer*? How, if your beloved could count a *murder* for every *kiss*? Woe to my Amalia. She is an unhappy girl.

“*Amalia.*—(*Starting up in joy.*)—Now, am I not happy? My Carl is a reflection of the Deity, and the Deity is all mercy and love! Carl could not bear to see an insect suffer, his soul is as free from thoughts of blood, as the noonday sun from the darkness of midnight.”

In unutterable anguish Carl Moor rushes away. Amalia, unconsciously, had breathed the bitterest curse on him whom she as unconsciously loved; then, when the bright cup of joy was lifted to the lips of the outcast, the spirit of *Retribution* hung over it, and wept one bitter drop into the sparkling draught.

Carl Moor, on revisiting his father's home, had come accompanied by his band of robbers, as though typical of the haunting furies that should follow him even to the scenes of his childhood.

In the forest surrounding his ancestral castle, and by an ancient ruin, his dark companions are awaiting the return of their leader. The night is rushing down around them, and when the wild and reckless roundelay with which they herald its approach has ceased, Spiegelberg prompts Razmann to assassinate the captain, whose lengthened absence has filled the band with alarm. But they are overheard by Schweizer, and as they depart to execute their diabolical purpose, he kills the former on the spot, and expels Razmann from their lawless brotherhood.

“Away! Shusterle did the same, and in consequence he now hangs in Switzerland, even as the Captain foretold.”

The signals of Moor are now heard in the distance, and, as he appears, Schweizer leads him to the body of Spiegelberg, revealing the projected murder and its punishment. Moor beholds in this the finger of providence—the warning that bodes his own hour drawing nigh.

“Oh, inscrutable decree of the avenging Nemesis!” he exclaims. “*Was it not he who first sung me the syren*

song? Dedicate this steel to the retributive God! *Thou* hast not done this, Schweizer?

"*Schweizer*.—By heaven, I did though! And, good sooth, it is not the worst thing I have done in my life.

"*Carl Moor*.—(*In thought*).—I understand! Ruler in heaven! I understand! The leaves fall from the trees, and my autumn, too, has come!—Remove him from my sight. (*Spiegelberg's body is borne away*.) Soon, soon all will be fulfilled. Give me my lute. I have been lost to myself since I was there. My lute, I say. I must now woo calm courage back. Leave me."

The robbers cast themselves beneath the trees and sleep, while a fierce combat rages in the breast of Carl. He sings a Roman song—the shades of Brutus and Cæsar meet in the fields of death, and discourse of Rome. He flies from the past, through the present to the future; and thus he reasons, for well has the spirit of the old Roman song prepared him to break through the ties of life.

"Could any one vouch for the future! All is dark—mazy labyrinths of thought—no clue, no guiding star! Is all ended with the last breath? Ended, like an idle puppet-show? But then, why this burning thirst for happiness—our ideal of an unattained perfection—our postponement of plans still unfulfilled—if the weakest pressure of this poor bauble (*holding a pistol to his head*), can equalise the fool and the sage, the coward and the brave, the noble and the bad? There is a God-like harmony in the soulless realm of Nature, why this discord in the empire of Intellect? Ha, ha! There is *more to come*, for I have not *been happy yet!*"

Here is the secret of his career through life—he had not recognised *the guiding star*; and here the poet proves himself a noble advocate of religion, for he makes his hero, through the effort of *worldly reasoning* alone, come to the same conclusions (though with different feelings), as the religious man—proving that *faith* is founded on the *real*, as well as the *ideal*. There is a shadow of resemblance between the reasoning of Carl and that of Franz, only that the latter ever argues in the defence of evil, the former in advocacy of the good. But the result will prove, that the good intent, without the guiding spirit of religion, is often as pernicious in its *effects* as the evil will. He continues, in exculpation of his deeds, to refer them to the impressions received in his childhood, which mould the character and passions of the many, thus endeavouring to lighten the

responsibility ; a proof, that though he disclaims fear (even while he trembles) he feels the coming retribution in the "nameless BEYOND."

Again, he raises his hand against his own life, and in that moment strives to fathom Time and Eternity, "linked by a single moment." "But if I remain true to myself," he exclaims, "if I bear my identity with me," the future may be as it will. His pride comes to his assistance. "Shall I die through fear of a life of torment? Shall I concede a victory to misery? No! I will bear it. (*Casting the pistol away.*) Agony shall exhaust itself against the rampart of my pride! I will fulfil my destiny."

Soon, however, he finds a source of action is in store for him, such as he might not deem. It is midnight; Hermann (the accomplice of Franz), comes through the forest, proceeds to a dungeon-grate in the ruins, and conveys food to one below. But as Hermann, terrified by the sounds he hears, is about to depart, Moor, attracted by his mysterious manner, and the words he has spoken, stops him, and advancing to the tower, thunders at the portal.

It is broken open, and from the loathsome dungeon, forth crawls a skeleton form, worn down by hunger and captivity.

"Mercy! mercy!" cries the spectre-like apparition.

"*It is my father's voice!*" And Moor staggers back in awe and fear, deeming it a spirit risen from the grave at his call, to reveal the secrets of eternity.

"Heaven and earth! Who has done this?" he cries, when he learns it is his living father he beholds.

Count Moor.—"Curse him not! My son, Franz."

He then reveals how he had been immured alive, while Franz spread the report of his death—how he had lingered for three months in his living grave, and been sustained by the mercy of Hermann, who conveyed food to him, unknown to his master; the parricide believing he had succeeded in his intent. The old man finishes the history of his wrongs, by an admission that he had deserved them, for his cruelty towards his banished son, his long-lost, ruined Carl.

(*To be concluded next month.*)

ST. JOHN'S EVE.

A ROMANTIC DRAMA, IN THREE ACTS.

ACT III.

SCENE I.

Chamber in Rupert's House. Otto, Wilhelm and Hubert busied in decorating the Apartment.

Otto. Bustle—bustle—friends! This is St. John's Eve again. You know what the day portends.

Wilhelm. Yes, for this day, a year ago, poor Gemma first began to droop and fade.

Hubert. Yes—this day, a year ago, the Cavalier first made his appearance.

Otto. Ay—and this evening she is to be married to the Cavalier. Poor girl—she's dying.

Hubert. Her father's as hard-hearted as ever. He thinks it but assumed.

Wilhelm. What says the doctor?

Otto. What doctors always say—he looks wise, shakes his head and says—"Hum!"

Hubert. She has said that this evening will be her death.

Wilhelm. Some one had told her he had seen her shadow last St. John's Eve, and it made such an impression on her, that she has gradually declined ever since.

Hubert. Poor girl! The leech did say, if she survived this evening she would soon recover, her illness being of the mind. But he gives no hopes.

Wilhelm. No chance!—no chance! Her death is foredoomed, this evening! Who ever has escaped, whose spirit has been seen on St. John's Eve?

Hubert. I say, Otto! why is the rite to take place at the old deserted Abbey among the hills, instead of the church, as usual?

Otto. What know I? It was the special will of the Cavalier. But bustle! See you not the sun is westering? and the rite is to take place as soon as it is dark! Speed! speed! you to the green chamber,—you to the Garden saloon—Quick! We have not got a moment to spare—not one of us—there—go! go!—work!—toil!—bustle!—that's

right! go! go! (*Exit Wilhelm and Hubert.*) And I'll sit quietly and think for you all! (*Seating himself. After a pause taking forth a bag of gold.*) Now then, we'll look at what we've got. A purse of gold—this the Cavalier gave me. I don't much like his gifts—but—open! (*opens the purse.*) Pah! I know not what the fancy is, but this purse smells like an opened grave. Ha! Ha! Folly! gold is gold!—(*Taking out a handful, and dropping it back with a cry of pain.*) Ah! It burns! it burns! Should he—as Trina sometimes says, be a fiend, and this gold—pah! perhaps I but fancied—and it can do no harm just to handle it a little. (*Takes more.*) Ah! it's cooler now! I find, 'tis but at first it burns, the hand soon grows accustomed to it. (*Takes more.*) Why, I protest, it's quite cold and comfortable now.—Lord! What a lot! (*calling*) Trina! Trina! (*Trina enters.*) Now, Trina! brighten up that pretty face of yours. You are mine and I am yours, I am yours and you are mine! Clap your hands for joy, girl! you've got a rich man! You've got me!

Trina. What new foolery have you afloat?

Otto. Foolery if you please! *This* is no foolery! (*shewing the purse.*)

Trina. Where did you get that?

Otto. Never you mind. You see I have got it.

Trina. Where did you get that? Let me know, or I tell directly.

Otto. Hush! Hush! No! No! For that would spoil all.

Trina. Spoil what? I am not trifling!—There is more behind this!—Tell directly—or!—

Otto. Well!—Well!—but be discreet!—The Cavalier.

Trina. As I thought! What for?

Otto. But you must be very discreet! Why, you must know, my master bade me fetch the Superior and the Holy brotherhood of St. John to the Abbey this evening, to solemnise the rite between the Cavalier and Gemma.

Trina. Well!—well!—

Otto. Well, the Cavalier gave me this gold, *if I would not fetch them, but keep them away!* He said he had a Priest, *one of his own*, would serve as well.

Trina. Just Heaven! 'Tis as clear as day! He is in league with the Evil one. He has some design upon us, that the powers of the Church would thwart.

Otto. What is it, Trina? you frighten me.

Trina. Yes, yes! Or else why choose the ruined Abbey instead of the Church? Why keep them hence?—Away,

away ! unhappy wretch. Touch me not, you're lost, you've sold yourself !

Otto. How ?—sold !—

Trina. To the fiend !—Away !—I smell sulphur about you ! go, go ! That gold was coined—(*pointing downwards.*)

Otto. (*in fear.*) What—in the place—where—people are warm !—

Trina. Yes, yes ! You're a lost man ! He's got you !—safe and sound ! good bye, poor Otto !

Otto. Oh stay !—Stay !—*Trina.* !—I *do* feel very, uncomfortable !—don't I look—Oh ! this gold !—What shall I do ?—

Trina. There is but one thing ! Return him his accursed gift,—hurry at once to the Superior !—bring the holy brotherhood to the Abbey this evening—and—

Otto. But I dare not ! He will—I swore !—he—

Trina. You love me !—Well then, if you do not obey me, I will never be yours—if you go and they come in time, I pledge you my hand to-night.

Otto. Oh ! here I am placed between the devil and a woman, a woman and the devil !—Lord have mercy on me !

Trina. Well, sir ! you hear me !

Otto. Lord bless you—who would'nt !

Trina. Well !

Otto. Oh ! I go !—of course !—(*aside*) Out of the frying-pan into the fire. Good bye, my sweet—(*shudders.*) Oh ! (*Going, and then turning back.*) I say—*Trina.* !—do you think—I know—that gold—it's a pity the devil should have it, after all, when you know it could be in so much better hands, eh ? (*aside*) I don't like to take it myself, but I don't see the harm of her taking care of it for me.—(*Aloud.*) So I think you might as well—

Trina. No, no ! I would not touch it for worlds !

Otto. Well, as you like, but, you see (*putting as he speaks, piece after piece of gold into her hand.*) that's a new red gown, and that's a pink trimming to it, and that's a yellow bonnet with cherry-coloured ribbons, la ! how it will become your pretty face, and that's a shawl, like the steward's wife's, all pea-green and chocolate, and that's a scarf sky-blue, and then wont you look like a sunset in June !

Trina. (*Who had been holding out her hand, every moment more pleased.*) Well, after all, I don't see the great harm there can be in taking a little foolish money, so, come along, and I'll get the Priest to give me a blessing for it.

(*Exit.*)

Enter Rupert. (In thought.) They say she's dying!—

What? My poor, poor child!

Perchance I am too harsh! Could it be true,
What Otto fears? Pah, pah! The Cavalier's
A noble knight—and I but weak and foolish?

(The Cavalier enters, unperceived by Rupert.)

Cavalier. (Aside.) King Satan's ancient lure has failed
me now.

Gold, power, wealth, rank, what? Have ye lost
your charms,

That whilome worked so well on woman's heart?

Then—then I must assay the Passions! yea

Resentment, Fear and Pride shall do my work.

Rupert. (perceiving the Cavalier.) My noble Lord!

Cavalier. Good morrow, Father Rupert!

How fares my lovely bride?

Rupert. But ill, my lord! The leech says she is dying.

Cavalier. Ha! ha! ha!

Rupert. (Incensed.) You laugh above the death-bed of
my child?

Cavalier. No, no! at you. You promised me her hand!

Rupert. I promised what was human, more I cannot,

She dies! I cannot sacrifice her thus!

Cavalier. (Carelessly.) What? you retract?

Rupert. I cannot murder her.

Cavalier. (Quietly and tauntingly.)

Ha, ha! you play the doting father well.

'Tis kind, 'tis very kind of you indeed,

To sacrifice your greatness, hopes and will,

To the caprices of a wayward child.

I go, Sir! I admire you—but—I go!

Rupert. Stay! stay!

Cavalier. No, no! Our compact is at end.

But I must still admire, in leaving you,

How fierce young blood now grows unto white hairs.

You boasted you could tame her to your will,

And now that St. John's Eve is come again,

I find her still rebellious as before.

No doubt 'tis very amiable in you.

Rupert. But would you have me murder her?

Cavalier. Oh no!

By no means. Play the poor, kind, weak old man.

Rupert. But she is dying.

Cavalier. Oh! that grieves me much. *(With bitter
quiet irony.)*

Pity, though, that I should not believe it.
 Ungentle doubt in me ! But 'tis my way.
 Yet pity, too, if we had spoiled her game !
 For certainty, a game, that's played so well,
 Deserves success.

(*Affecting to speak in thought.*)

Yes ! How she oft will laugh
 Above her father's grave. Ay ! Laugh to think
 How well she cheated *you* and broke *my* heart !
 While in the arms of her dear paramour.
 Good Father ! Most good father ! Fare you well !
 A pretty game ! Well played ! You're very kind !

(*Going.*)

Rupert. Stay, stay ! You open a new light to me !
 I see it all ! I plainly see it all !
 —Stay, Cavalier ! I pray you ! Thick and fast
 A thousand things now flit before my mind,
 That give me confirmation of your thoughts !
 No ! I will not be outraged and deceived !
 Weak, doting fool I was ! I see it all !
 She shall be yours ! I swear it !

Cavalier. By no means !

'Twere pity to disturb your kind resolve.
 Perhaps 'twere better otherwise. Oh ! Think !
 How happy you might in some cottage be,
 Beside your peasant son, your peasant child,
 While gilded chariots whirl in distance past !
 Think of your Gemma on her Rudolf's arm
 Gone forth to tend the kine ! How sweet a sight !

Rupert. Ha ! Loathsome image.

Cavalier. No ! 'Tis very fair ! (*Mocking.*)

Poets, you know, still praise it,—then it must
 Be something very fine !—Now fare you well !

(*Going*)

Rupert. No ! I implore you stay ! Stay ! Cavalier !
 She shall be yours, I swear ! Now hear me pray
 Hear me beseech you not to go ! I've set
 My heart upon this union, more than ever !
 'Twill kill me, if you go.

Cavalier. Oh ! Then I'll stay.

But are you sure she will consent at last.

Rupert. Consent ! She shall obey me !

Cavalier. I have doubts.

Rupert. Ay ! If I drag her by the very hair
 Unto the altar, still she shall be yours.

Cavalier. That sounds like resolution. Yes, I'll stay.
 But methinks I can make light your labour.
 She certainly is charmed by this same Rudolf.
 He's put some spell upon her, I can break.
 Does not your daughter wear an agate ring,
 That was her mother's ?

Rupert. Yes.

Cavalier. Then give it me.

'Twill be of use to turn her heart.

Rupert. But how

Procure it ? For she never parts with it.

Cavalier. Take it from her.

Rupert. She will not permit it !

But I could steal it from her when asleep !

Cavalier. (*Mocking.*) That sounds like resolution too,
 indeed.

Rupert. Well, you shall have it. Come ! No longer now

Will I be played with thus ! Come ! Will you follow ?

Cavalier. Ay ! For lo ! This once, who follows, leads.

(*Exit.*)

SCENE 2.

A Chamber in Rudolf's Cottage. Through the windows are seen the house and grounds of Rupert. Rudolf is reclining on a couch.

Rudolf. (*Starting up*)—Sweet Gemma ! Do they say she
 dies ! She dies !

Oh ! I must see her ! Cruel, cruel I !

To have neglected her !—She meant it not !

She never, never loved the Cavalier !

Why did blind pride e'er drive me from beside her ?

In vain I sought forgetfulness in absence !

Love draws me back from my far wanderings,

And have I but returned to hear she dies ?

'The words she spoke, I misconstrued.—They were

Mere courtesy !—"Dear Cavalier !"—Nought else !

"Dear Cavalier."—Yet "dear !"—That's nothing—
 nothing !

She'd say it to her dog—to soulless things !

Oh ! I have killed her in my idle pride,

My false resentment, and she loved me still !

Poor Gemma !—Dearest Gemma !—Peace, my heart !

Break not, till thou hast seen her, been forgiven.

"Dear Cavalier !"—Thrice cursed Cavalier !

Thou art the cause, the ruin and the foe!

Ha! I will seek thee out athwart a world

And take a fearful retribution on thee!

"Dear Cavalier!"—Thrice cursed Cavalier.

(*The Cavalier has entered*)

Cavalier (calmly.) Good morrow! Thank you.

Rudolf (drawing the instant he sees him.) Can it be?—

Ripe to my vengeance! Ripe!

Have at thee!—Canst thou come to me? To me!

And dost thou dare to taunt me to my face?

Cavalier. I come as your good friend!

Rudolf What! Mocking too?

Draw! Strike! At once!

Cavalier. I?—Not with you!

Rudolf. Thou shalt! Or I strike thee!

Cavalier. You dare not!

Rudolf. Why!

Cavalier. Because I am unarmed.

Rudolf. A coward's idle plea!

Cavalier. Were I a coward, I had not come here.

Rudolf. It shall not serve thee! Here are weapons! Here!

Take! What? They suit you not? Then here are more.

Cavalier. They're not the weapons, with the which I strike!

Rudolf. Oh! Triple coward! Then I'll strike thee thus!

Cavalier. (Standing motionless) Man! Have a guard! 'Tis murder! Now I strike!

Rudolf. (Sheathing his sword.) Villain! I scorn thee!
Leave me!

Cavalier. No! Not yet.

I come on the behalf of Gemma.

Rudolf. Thou?

Cavalier. You love her—do you not!

Rudolf. Oh! Can you ask? (*Passionately.*)

Cavalier. Then you can render her a service.

Rudolf. How?

Cavalier. 'Tis by renouncing her. She loves you not,

But sense of duty binds her to you,

And raises painful conflict in her breast,

That undermines the fabric of her life,

And to rebellion ever prompting her

Thus brings her grey-haired father to the grave.

Rudolf. She loves me not!

Cavalier. I've said!

Rudolf. She loved—she loves! (*With proud confidence.*)

Cavalier. Her heart is mine.

Rudolf. Liar! Recreant! That is false!

Cavalier. I can prove my words.

Rudolf. I dare thee prove them!

Cavalier. Behold! Know you this ring? (*Lifting his hand,*

Rudolf. (*Starting back.*) Her mother's ring!

She ne'er would part with it! Not e'en to me!

Cavalier. She gave it me!

Rudolf. I've asked her for that ring!

Cavalier. Are you convinced?

Rudolf. No! There is art in this!

She—give it *you*!

Cavalier. Upon that very morn

When in your very presence she did smile

Upon my suit, received my proffered gifts

And all unasked this pledge gave in return.

You heard—and now you see?

Rudolf. Yes, Yes! I heard!

Her own lips told me! Fool! That I could doubt!

Cavalier. Are you convinced!

Rudolf. I AM! (*Utterly dejected.*)

Cavalier. Then write to her,

And tell her you renounce her, bid her wed

The man, she loves, *your rival*! Tell her, too,

You long have ceased to love her—'tis a kindness

That rendered, spares her many pangs of conscience!

Rudolf. Bid me renounce my heaven, and I'll do it!

But Gemma! Oh! I loved her truly—fondly!

Ungrateful and unkind!

Cavalier. Ah! But for you

She might have been all blythe and happy still!

You have been the blight of her young life!

You knew her rich, and that the world had placed

A bar 'twixt you and her; still, still you urged

Your suit, and won her heart, entailing thus

Keen misery upon her. From that hour

Her love and duty waged destroying war,

And as they fought long battles with her life,

Her blooming cheek grew paler day by day,

Her form more shadow-like, her voice more low,

She pined,—she drooped,—she faded!

Rudolf. Oh! Forbear.

Cavalier. Call you this Love? 'Tis Cruelty! The while,
Had you forborne and chained down love and pain,

And passed her by, and said : I will not bring
 Blight and death on one so young and gentle,
 She, who now dies within yon trellissed porch,
 Had now been dancing on the village green !
 Call you this Love ? 'Tis Murder !

Rudolf. No, no, no ! (*With passionate energy.*)

Cavalier. Such is the love of man, and even now
 You still refuse to write the few, brief words
 That may allay the tempest of her soul.

Rudolf. (*Writing hurriedly.*) There !—There !—She shall
 not perish !—Break, my heart !

Live Gemma ! And be happy !—There ! I go
 To see her yet to-night—and then to die ! [*Exit.*]

Cavalier. I thank you. You have played your part to end.
 'To night she must be mine and I am saved !
 And should I fail, still, I will baffle Hell :
 Even though St. John's Eve's last hour have struck !
 'The rite will be at midnight in the Church—
 They dare not cross the threshold sanctified
 And I within will tarry, and be saved !
 But she *will* yield ! Now—now then to my work !
 The heart of woman is but a weak fortress. [*Exit.*]

SCENE 3.

The interior of a deserted and decayed Gothic Cathedral. Night.

Attendants and Servants of Rupert entering.

Attendants. Ho ! Hollo ! Hollo ! Here ! Is no one here ?
 Where is the old man, who guards this ruined Church ?

Monk. (*Entering with a lamp from a side aisle.*) Who
 summons me on this tempestous night ?

Say ! Are there any, who assistance need,
 Assailed by storm or midnight murderers ?

1st Attendant. No ! We come, father ! to crave the loan
 of your church for a short hour or so.

Monk. Come ye for shelter or for penance here ?

2nd Attendant. No ! On a merrier errand far, for at this
 shrine to-night a Cavalier and Lady fair are to unite
 in wedlock's holy bands.

Monk. These ruins are unfit for such a rite.

Why choose they not the convent church at hand ?

1st Attendant. What know I ? A fancy ! But in sooth !
 we've had to brave the storm for it.

2nd Attendant. Beshrew me! 'Tis a fearful night, the clouds drive wildly from the mountains.

1st Attendant. And how fares Gemma?

2nd Attendant. Like a martyr! Calm despair sits so palely on her cheek, ye know not if 'tis death's or sorrow's hue.

1st Attendant. Beshrew thee, Monk! Stir! Stir! Set wide the gate, and trim that niggard lamp, that seems a very miser of its light.

(*Music without approaching.*)

2nd Attendant. Hark! Hark! D'ye hear the strain? They come! They come!

[*Enter the bridal train, with numerous attendants bearing torches, the Cavalier walks on the one side of Gemma, while Rupert supports her on the other, and Trina follows.*]

Monk. Say! Who is he, who walks beside the maid?

(*Starting with horror on perceiving the Cavalier.*)

Attendant. Why do you look thus? The Cavalier! An old friend of my master.

Monk. Whence came he?

Attendant. From afar. I know not.

Monk. His name?

Attendant. The Cavalier. I know not.

Monk. You know not! Ha! I shudder. (*crossing himself.*)

Attendant. Why? What ails you?

Monk. Nothing! Nothing! (*hurriedly.*)

Rupert. (*To Gemma*) Now, child! resist no more! The hour is past,

In which a father's kindness weakly swayed.—

Here, Cavalier! My daughter and your bride.

Gemma. (*Faltering.*) My father! Bear with me a little yet! I shall not pain thee long!

Rupert. Ha! What means this?

So pale!—So cold!—My child! Break not my heart!

Gemma. 'Tis my heart breaks, my father! Oh! my father!

Cavalier. (*Aside to Rupert.*) The phantasy of girlhood! Art! Mere art!

Rupert. Child! I command thee! Ha! Too long I've prayed! At peril of my curse!

Gemma. Stay! Father! Stay!

Rupert. Wilt thou obey?

Gemma. I cannot! Oh! I cannot!

Rupert. Then hear me, Heaven!—

Gemma. At thy feet my heart! (*Casting herself down.*)

Now crush it,—spurn it,—but oh! Curse it not.

Cavalier. (*Aside to Rupert.*) Ha! Wavering now? 'Tis
but the last poor shift!

She'll yield anon, be firm!

Rupert. Then hear and perish!

Once more I ask thee,

Gemma. (*Rising with majesty.*) Oh! Then thunder burst!

From outraged nature I appeal to God!

My father! You transgress the law of man!

I'm free! and answer: No!

(*Kneeling again.*) Now then, thy curse!

Curse! While I bless thee, father!

Rupert. Oh! I cannot. (*Overpowered by emotion.*)

Gemma. What? Is the thunder silent? Rudolf! Rudolf!

Cavalier. Ha! Then the time is come! You call on one

Who thinks of you no more, for Rudolf's false!

Gemma. False is the tongue that says so!

Cavalier. Yes! For he renounces thee himself!

Gemma. 'Tis false again!

Cavalier. His own hand witnesses his perfidy!

Behold! Where he resigns thee unto me,

And says, that he has ceased to love thee long!

Now, girl! What say you? At your feet I lay

Love, Power and Rank and Wealth! How stands
the scale?

'Tis balanced by a faithless outcast's heart?

Gemma. 'Tis balanced by my love and not by his!

He loved me truly once, I love for ever!

Cavalier. Ere that the clock strikes twelve, thou art a corpse?

Become but mine and live! I have the power!

Gemma. What? Live, and Rudolf faithless!

Then it is time to die! You rung my knell

Trina (*Aside.*) Now, Otto! haste, the fiend is blasting her!

Hark! Hark! (*Sound of a Mass bell, and sacred chaunt
heard approaching.*)

Cavalier. (*In extreme awe and terror.*) Who summoned
those? I bade him keep them hence?

I fear they stood not in my reckoning! (*To Rupert.*)

Rupert. How now? Why turn you pale? (*to Gemma.*)

My child! My child!

What ails thee? Ha! She falters!

Cavalier. (*Bending over Gemma.*) Now once more!

Once more! Time presses! Say thou wilt be mine!

Quick! Quick! Or they'll be here!—

Now speak! (*The chaunt without draws nearer.*)

Gemma. My father. (*Faintly and wildly.*)

Your blessing, ere I go—no!—not a curse!—

Oh!—I am—faint!—(*Chaunt nearer still.*)

Cavalier. Still 'tis time!

Say yet thou wilt be mine and thou art saved!

Gemma. (*Scarcely conscious.*) My Rudolf!—Father!—

No, no! Curse me not! (*She sinks on the pavement.*)

Forgive me!—

Rupert. Ha! She dies! She dies. My child! My daughter.

Fiend! 'Tis thou hast slain her!—

Ha! Why turns thine eye so ghastly?

Ha! Thy form dilates.

Cavalier. Still 'tis time!—There's but a moment's span.

I give thee life and love. Reject them not.

Thy shadow falls upon thy grave already.

Rupert. Hence! Hence! Let her pained spirit pass in peace!

Thy hateful voice disturbs her. (*Chaunt close to the*
(*Starting*) What was that? [*Church.*

Hark! How the tempest bursts!—See horrid forms
Peer through the casement!

Cavalier. Ay! They do! They do!

Heaven drives me hence, and Hell awaits without!

(*A Holy Procession, the Superior at their head, with cross and bell, enters the Church, and Otto is seen by the side of the Superior, pointing to the Cavalier.*)

Rupert. My daughter, Gemma! I have slain my child.

Is there no voice will call her from the grave?

Rudolf. (*Rushing in.*) Gemma!

Gemma. (*Reviving.*) Rudolf called! You love me?

Rudolf. (*Passionately.*) Love you!

Gemma. Oh! I am answered. Hark! The hour of death.

The Cavalier. Lost! The time is past!

(*As the clock strikes twelve, fiends arise and seize him and drag him downwards.*)

Gemma. (*Kneeling to the Superior.*) The hour it strikes!

Father your blessing—for I die this hour. (*Pause.*)

Ha! It has struck. 'Tis past and yet I live!

Rudolf & Rupert. She lives. [*perished*

Superior to Gemma. Your faith has saved you—or you

The fiend a cheating vision held before you

To tempt you and mislead, and you are saved!

Thus in the hour of peril, woman proves

An angel ministrant 'twixt man and heaven!

Live happy—children! Heaven is satisfied

(*They kneel before him, Trina gives her hand to Otto, Rupert folds his hands in prayer and*

FEMALE SLAVERY IN ENGLAND.

History has hitherto been nearly silent regarding the condition of the Working People. It has always been the Units who have monopolised the ear of society, and made the world clamorous with their deeds, their achievements, their joys, and their sufferings: the "dumb millions," doomed to pine on in thick obscurity, have only toiled, suffered, bled, and died for others, and then passed away into silent oblivion almost without a record.

More recently, however, History has been seeking its way downwards among the masses of society; and the condition of the working classes has at length become a matter of serious investigation, with historians, philosophers, and legislators. Voluminous reports have lately been presented to Parliament on the condition of that portion of the population which labours in our factories, our mines, and our collieries; and they have been made the subjects of various acts of legislation by the governing powers.

Among the facts brought to light, in reference to the condition of the working people, none were of a more revolting character than those relating to the condition of the Women employed in the coal mines of England and Scotland. Society was startled from its propriety by the sudden announcement of the fact, that Women, mothers of families, were employed under-ground to do the work of brutes; were harnessed to waggons, where, in dark, damp, and dirty caverns, they dragged forth the precious mineral which gave light, and warmth, and comfort to millions of cheerful hearths. The thing was too barbarous to be tolerated for a moment longer in this our Christian country. The bare enunciation of the fact was sufficient to ensure the suppression of the evil. Society universally condemned the practice of female slavery in mines; accordingly, the legislature stepped in and put an end to it at once, and, let us hope, for ever.

The condition of the women in mines, as brought to light by the Children's Employment Commission, was no doubt dreadful; and yet how small a part was this of the misery endured by the working-class women of this country! But the condition of the women of every class is almost always

the last to excite attention. Calamities fall upon them suddenly, but ameliorations reach them slowly. They suffer the first, and are ever among the last to experience relief. Most of the social maladies suffered by women are known only to themselves, and their exposure never meets the world's eye, or is proclaimed to the world's ear. Men go out with their grievances to the public, and seek to alleviate their common wrongs in each others common sympathy; but it is in the nature of woman to suffer on in silence and submission; and, when her sufferings at length drive her before the public, it is oftener to be the jest of the ribald mocker, than the object of the public sympathy, defence, or protection.

It may seem to many a futile, as it is certainly an unusual, task, to inquire into the condition of the women of the working classes. Who are they, or what are they, that they should be deemed thus worthy of special consideration? They are these—they constitute *one half of the nation*: and the morals and manners, the well-being and happiness of *the other half*, almost entirely depends upon them. Of such importance are the Women of the Working-classes!

There is not a woman, even of the very humblest class, who does not exercise an influence over society, for good or for evil. Woman governs domestic life, and it is there that the Sons and Daughters of society, the offspring of woman, are trained and educated. The influence of home operates throughout the entire of human life; and it is from that source, be it pure or tainted, whence issue the principles and motives which at length influence and govern society. In Britain, as in every country, it is the labouring classes who constitute the great body of the people. It is they who do the nation's work—who build our houses, cultivate our fields, dig our mines, man our ships, construct our roads, work our looms, fill our marts with the produce of their labour, and convey over the whole world the results of their industry.

In Britain, the labouring class constitutes more than two-thirds of the entire people. Is it not, we ask, a matter of some moment to know the condition of the Women who train and educate them—who form their morals, direct their minds, and thus influence the entire destinies of the Nation? The position of the women of the working-classes, indeed, involves more or less the condition of every other class. If their condition is an elevated one, society will be proportionally benefitted; if depressed,

society will suffer the injury. The law of retribution and re-action always comes to woman's aid, and re-inflicts on society the evils which man and his institutions may impose upon her.

Consider, also, the importance of the women of this country as labourers. As Operatives, they are engaged in almost every branch of production in the manufacturing districts; and, in these times of depressed trade, it is often by their labour alone that the husband and family are maintained. In the agricultural counties, they do all the in-doors, and a great deal of the out-doors labour: they manage the concerns of the dairy, the barn, and the poultry-yard. In Scotland, they are field-labourers. As dressmakers, women of the working-classes clothe the fairest portion of the race, their pliant fingers executing the most difficult labours which caprice can invent or impose. They perform, also, all the labour, drudgery, and toil of domestic life; besides managing the generally scanty family fund, and devising by its aid the thousand little means and expedients on which the comfort of husband, wife, and children alike depends.

And what is the condition of these women of the working-classes in this "highly-favoured Christian country?" Alas! we fear it is, in most cases, a very melancholy one, enough to draw bitter tears even from the most careless and unfeeling. What a record of misery, for instance, lies concealed under the simple fact, that the average rate of wages in the agricultural districts of England and Scotland is not more than 8s. per week! What a picture of empty cupboards, cold hearths, comfortless dwellings, untrained minds, unclothed backs,—

"Of Crime, and Fear, and Infamy,
And houseless Want in frozen ways
Wandering ungarmented; and Pain,
And, worse than all, that inward stain,
Foul Self-contempt, which drowns in sneers
Youth's starlight smile, and makes its tears
First like hot gall, then dry for ever."

We believe, in almost all cases, it is Woman who feels the pressure of poverty the heaviest. She has no means of escape from its operation, for she is daily and hourly harassed by the sufferings and privations to which it exposes those whom she loves more dearly even than her own life. Were it possible to take a poor family, say from the class of the agricultural labourer, and place it under a kind

of moral microscope, it would supply material for a far more affecting record than has ever yet been penned. In all cases, we should find it to be the woman, the wife, the mother, who felt the most, and who suffered the most, from the evils of her position. What an economising of the weekly pittance in order to meet the increasing wants and necessities of the family! How great her sacrifices of comfort for the sake of others! How constant her cares and anxieties! How incessant her drudgery and toil! Alas! there is little indeed to sweeten the bitterness of the poor woman's lot!

What is the ordinary life of the woman of the working class? Born and educated in poverty, and often in hunger, she acquires an early acquaintance with the iron realities of life. There is no beauty or gladness about her infancy; there is little of parental fondness or dalliance about her youth. She comes to make a poor home still poorer, for there is another mouth to be fed out of the already too scanty weekly earnings. She is the rival for food with the other members of the family; and she is an unmitigated burden till she can contribute by her little gains, to the common store. At an early age, before her mind or her morals can be trained, she is sent to toil; to mix with others,—perhaps, in time, to become contaminated and lost. But say that she escapes: she marries early, as almost all the women of the working class do, exchanging one kind of slavery for another. She becomes the mistress of a comfortless home, her neck now placed beneath the yoke of perhaps a brutal and drunken tyrant. There is reason to believe that the men of the working class are rarely what is called “hen-pecked.” They almost invariably rule with a rod of iron. Well, she becomes a mother! one after another is added to the little family; each addition requiring greater economy on her part, and greater exertions upon the part of the “bread-winner.” And often has she too, the mother, to add her labours to those of her husband, in order to obtain the means of subsistence for the family. In all the large towns this is the case, and the consequence is, a fearful mortality among the youthful population.* Infants are left at home, under the

* In Leeds, according to the registrar-general's return, about *ONE FOURTH* of all the children born alive into the world *die under a year old!* This is attributed, by medical men, to the prevalent practice of young mothers working in factories. In Manchester, the mortality is nearly as great, and from the same cause.

charge of careless girls, little older than themselves, while both the parents go forth to toil, without even being certain of bringing home at night their daily bread. And then, what sort of a home is it they return to? Not a place of comfort, or warmth, or cleanliness, where they can enjoy rest from their labour; no well-furnished, cheerful apartment, with well-spread board, where they can shut out the inclemencies of the season; but a comfortless lodging, cold and cheerless, perhaps with children crying around them from hunger and tediousness. The home of the working classes is oftener a place to fly *from*, than to fly *to*; for it is generally a scene of want and poverty, and not unfrequently one of intense misery and wretchedness. The husband, less patient and tender than the wife, complains of discomfort, of waste, and of the cries of his children. The patient, long-suffering woman, has to bear the cruellest taunts. But perhaps she recriminates—they quarrel—and the husband goes out to the nearest public-house to shake off thought in intoxication, and to snatch the comfort and enjoyment which he cannot find at home. Meanwhile, the children are beaten for their father's fault, and sent, often supperless, to bed; while the wife, her temper soured, gloomy and irritated, sits down to watch for her husband's return. But we need not carry the picture farther: perhaps we have said enough. It may be thought we have drawn it in too dark colours, yet such we know is the present condition of tens of thousands of families in the most crowded districts of England and Scotland.

In the manufacturing districts, especially, the condition of the women is exceedingly wretched. The factory system, however much it may have added to the wealth of the country, has unquestionably had a most deleterious effect upon the domestic condition of the people. It has invaded the sanctuary of home, and broken up almost all social and family ties. It has torn the wife from the husband, and the children from the parents. Especially has its tendency been to lower the sacred character of woman. The performance of the domestic duties is her proper office in civilised life,—the management of her household,—the rearing and education of her children,—the economising of the family means,—and the supply of the family wants. But the factory tears her from all these duties: homes become no longer homes; children grow up uneducated and entirely neglected; the domestic affections are crushed or blunted, and woman is no longer the gentle sustainer of

man, but his fellow-drudge and fellow-labourer; the participator in all his bad and vicious practices: she is surrounded by circumstances of the most contaminating kind, and exposed to influences which too frequently make sad inroads upon that modesty of thought and conduct which is the best safeguard of female virtue. Without judgment or sound principles of conduct to guide them, factory girls early acquire the feeling of independence. Glad to throw off the constraint imposed on them by their parents, they herd and work with others in the same position as themselves; where, removed from the influences of a salutary opinion, they become initiated speedily into all the vices of their associates. They have no caste to lose. No class cares for them. No provision has been made for their protection or their moral elevation in society. A wide barrier divides them from the upper classes, who, for the most part, are as ignorant of their condition as of the inhabitants of some unexplored country. The atmosphere, moral and physical, in which they live, stimulates their animal appetites; the influence of bad example becomes contagious among them, and mischief thus becomes propagated far and wide. Imagine one thousand females, of all ages, congregated together, as in some mills that we know of—without separation, classification, distinction, or character—under no authority which they respect, and with little sense of accountability; and then, how can we wonder at this resulting in great physical, moral and mental deterioration?

Take a brief sketch of the life of a female factory operative. She enters the mill a mere child, at about three years of age, when she earns from 1s. 6d. to 2s. 6d. a week. She is thus early removed from the influence of home. The domestic ties are broken, and the feeling of independence immediately begins. She goes on working till fifteen or sixteen, her wages gradually increasing, together with her hours of labour, till her feeling of independence becomes complete. Now, in the earlier part of her career, and while her wages are small, the whole perhaps is given to the parent, who returns a few pence to the child, by way of encouragement to industry. But, as the weekly wages increase, she refuses to increase her contribution to the family fund; for a thousand wants have arisen, in dress, amusements, and gaieties, which did not before exist. Thus differences arise between the child and the parent, and these are extended by comparison with the liberties of her companions, many of whom are already living away from their

parents, or are perhaps parentless, having none to direct them. Disliking the control to which she is subjected, and finding her weekly contribution to the common stock of the family a hinge on which to make her premeditated point, she refuses to augment it. The parents then say they will not keep her for so small a sum as she has heretofore paid: she replies, that she can get lodgings for as small a sum: it is rejoined that she may. She quits upon the instant, and hastens to her companions, three or four of whom have already taken and furnished a house conjointly. She assimilates herself to them in all respects: labour becomes scarce, and prostitution too often follows; the ultimate result being crime and felony. Unfortunately, the instances in which the above course of conduct holds true, are by no means unfrequent.

Under such training as that of the factory girl or woman, it is scarcely to be expected that the household virtues can spring up—those virtues which give to home its chief attraction, and under whose influence alone well-ordered human beings can grow up to happiness and usefulness. Utterly uninstructed in the dignity of her moral and intellectual powers, the social condition of woman thus inevitably becomes deteriorated, and her influence is exercised for evil rather than for good. Imagine a woman, with such a training as that of the factory woman, become a mother. What is her fitness to educate her children? How has she prepared herself to rear the tender mind of youth, and to watch over its physical health? How to preserve and guard its soul's health? What can she know of that fine domestic tact, so necessary to make a home comfortable, who has never felt its blessings, and had no domestic instruction or example, but what has been most probably of a deleterious kind? How can *she* cherish enlightened minds, and aid in the development of the higher virtues, who has been kept an utter stranger to all that ennobles, refines, and exalts humanity? How can *she*, whose energies have been stifled in the cradle—whose life has been a perpetual conflict with circumstances of the most adverse kind—whose moral and mental education has been so neglected, add to the state happy and well-ordered citizens? The answer is to be found in the present moral and physical condition of our factory population, and in the morbid tone of feeling and opinion which prevails in almost all our manufacturing districts.

Let it not be thought that we attribute too great an im-

portance to the social condition of Woman. Remember, *it is the women who really educate the people*—who implant in the youthful mind those motives, feelings, and principles, which determine the conduct of the human being in after-life. It is in the homes of the people that the morals and manners of the people are found; and there Woman possesses almost the entire control. Neglect or deteriorate the condition of woman, and the result ere long will be the general deterioration of the condition of society. Withdraw women from their homes; break up the family compact, taking mother from child, and child from mother; make women day-labourers with men, and thus efface the peculiar modesty and delicacy of the female character; as surely as you do this, so will you produce a ferocious, regardless, and desperate population, ready for any work of mischief, and prepared to involve society in turmoil and commotion, on every the slightest opportunity. You have ruptured one of the chief ties which bind society together, namely, the domestic. You have made society motherless, and left the children ready to break loose. You have weakened the sacred influence of home, and exposed the entire community to danger; for they who have no home, can have but few attachments, few sympathies, and little or no hold upon society.

We need scarcely say that the health, also, of our female operatives, is greatly deteriorated by the life which they lead, and the toils which they undergo. To begin with, they are the heirs, most probably, of hereditary affliction. In their ill-ventilated dwellings, the nourishment of their infancy has been a slow poison; mephitic air, and pestilential exhalations. Imagine a sleeping room, containing about 800 cubic feet of atmospheric air (*each* individual requiring for the purposes of healthy respiration, at least 600 feet), and that in this room are huddled together, in two or three beds, father, mother, and children of both sexes, through all the ages of childhood, adolescence, and adultage; and what can the result be, other than debility, disease, and pestilence? Hence, the appalling fact, brought to light by careful inquiries, that in Leeds and Manchester, about *one-half* of all the children born alive into the world, perish under three years of age; in Leeds, the yearly deaths amounting to about *one twenty-eighth* of the whole population,—a mortality, little less than that of some of the better regulated hospitals in England and Germany! Just take, as an instance, the daily life of a girl belonging to the above

working-class family, sleeping in their dark, close, and ill-ventilated room. After breathing for eight hours, the vitiated atmosphere of such an apartment as we have described, she turns out at five o'clock in the morning for five winter months, into a temperature somewhat below zero, dank and cold, without breakfast, and poorly clad. She then re-enters an atmosphere laden with moisture and gaseous exhalations, fully impregnated, too, with carbon; the thermometer ranging from 70 to 90 degrees. She remains there for six successive hours, and again for other six, with intervals of only one hour and-a-half for meals; this variety of temperature acting upon her system through the most important functional part of female life. Are we to wonder, after this, that the health of these women is so bad, and the mortality of the hapless infants they bring into the world is so great, as it is proved to be? Let it not be thought that any class is safe from the contamination produced by this state of things. All classes are alike involved by it in suffering and danger; for the contagion steals into the homes of the rich, and invades the security and peace of thousands of their families. This holds true both physically and morally. The contagion of typhus is not more deadly to the body, than the contagion of vice and pollution is to the mind and morals of society. We cannot remain pure in the midst of general impurity. All classes must at length suffer, more or less, from the neglect of the men, and especially of the women, of the working orders of society.

But, how is this state of matters to be remedied—how to be reformed? This is, indeed, a large and most comprehensive question, involving, perhaps, the entire structure and constitution of society. It is obvious, however, that one of the more proximate causes of the present depraved condition of the women of the working class, is their want of comfortable homes, and, consequently, their want of an efficient domestic education. There can be no comfort—no satisfaction—no rational contentment, in the dens in which the great proportion of the working classes of this country are born and educated. And education, be it remembered, is *not* reading and writing, but a combination of all those circumstances which contribute to form the body, the mind, and character of the human being. School instruction facilitates the training of that being for after life, but it does nothing more. The *real* education begins at birth; the mother is the teacher, and home is the school. If the mother be herself uneducated, polluted, dirty in her habits,

or, perhaps, absent from home pursuing her daily routine of factory labour, the children grow up reckless, uncared for, vicious, and uncivilised; and if, as is more than probable, their home be miserable, comfortless, and foul, it will thus completely neutralise the good effect of any instructions which they may receive elsewhere. Nothing can compensate for the want of an efficient home education: no other kind of training can so develop the affections, and allow the well-spring of love to flow out from the human heart. There is no other moral power which can be compared with this, for the formation of a healthy, and well-proportioned character; none which can so render a man or a woman useful, contented, and happy in after life; none which can so unite and heal the breaches which now run through the entire fabric of society. One of the most efficient means, therefore, of educating and improving the condition of the people, would be to facilitate the acquisition of comfortable homes by the working classes. We must have an efficient home training, as well as school training, for the people; and, in order to this, it is necessary that every facility should be given for the restoral of the women of the working classes, to the homes of the working classes.

The spread of a sound opinion would do much to improve the social condition of Woman; and the extension of sound legislation would also do much, by throwing open the avenues to employment for the labouring classes, and thus rendering labour more remunerating than it now is. There can be no doubt that it is the low remuneration of the father's labour, that drives the mother into the factory, away from her children, in order to eke out the scanty means of subsistence for the family. It is a melancholy fact, that at present the labour of the man is, in very many cases, not a sufficient source of income; and, accordingly, both mother and children are driven forth from their home to maintain an unpauperised existence. It is thus that tens of thousands of homes are broken up, and women, instead of performing their duties as mothers, are compelled by iron necessity to perform the ill-requited drudgery of day-labourers.

We have spoken of the evil condition of the factory girl, but the condition of the dressmaker is worse, if possible, even than hers. No craftswomen are more industrious, yet none are worse paid than dressmakers. They sometimes lag for fifteen hours out of the twenty-four for a bare crust. They are as laborious as ants, clothing, by their industrious

and skilful fingers, the fairest portions of our race. Under their hands, cloth, linen, velvet, silk, and gauze, are endlessly fabricating themselves. They make the crooked straight, the lean plump, the awkward handsome; and by their ingenuity and skill, give a grace and elegance to things in themselves often the most paltry and insignificant. There are about 15,000 young women employed in London alone, in the various departments of dressmaking; and probably in Edinburgh and other capitals, the proportion is no less. The remuneration which they receive is of the most miserable kind. The better order of dressmakers labour sometimes from fifteen to eighteen hours a-day, for which their pay is not more than two shillings; and on this slender pittance these girls must manage to subsist in a city where food, clothing, and lodging are higher than in any other country in the world. And but few of them comparatively are paid even so much as this scanty pittance. The majority do not make more than one shilling a-day; and those who confine themselves to such inferior kind of work as shirt-making, stay-making, shoe-binding, &c., cannot make more on an average than sixpence a-day—and for this they must work from fifteen to eighteen hours! Are we to wonder that the girls engaged in this miserably remunerated employment, so often start aside from it and embrace the temptations which wealth and passion are so ready to hold out to them? Alas! our streets are strewn with their piteous wrecks! Thousands of fair and lovely women, who might have shed comfort and happiness over many a home, are sacrificed to class pride, and monopoly, and slavish selfishness. These poor creatures, suffering from the extreme of indigence, and often want, are brought into contact with the most exaggerated luxury which riches can invent. They live upon the frontiers of fashionable society, and become imbued with all its taste for show, and dress, and gentility, without the means of gratifying it. Perhaps they are young and lovely, and feel bitterly the hardness of their lot as contrasted with that of the gaudy things around them. The tempter comes, and whispering of “love,” holds out the powerful lure of wealth. The dressmaker sees before her the prospect of ease, and fine dress, and luxury, and happiness. Surely, surely, it requires a very large share of prudence, as well as courage, to resist the fearful temptation!

We now come to another class of female labourers, namely, those employed in domestic service; probably the most important and numerous class of workwomen in the

kingdom. They amount to considerably upwards of a million. They are constantly about us in our dwellings; and our domestic comforts almost entirely depend upon them. They tend our children, and guard our property. They have in their power the cleanliness, economy, and order of families; and those thousand little atoms of which the sum total of domestic happiness is composed. It is easy to perceive that the moral and social condition of the women of this class must have a powerful influence on the moral and social condition of the classes with whom they live in immediate contact. What an influence they exercise on the susceptible and impressionable minds of the young, who, from living with them, unconsciously imitate their language, and imbibe their morals and manners. Domestic servants are, in a great measure, the models of all children; and, if vitiated or ignorant, they will inevitably become contaminated by the contact. "Give your children to be educated by a slave," said a philosopher, "and instead of one slave you will then have two." The saying is quite applicable to the case of domestic servants: for what is their actual moral and social condition? It is to be feared that, in most cases, it is an exceedingly low one. They are treated, for the most part, as mere servants or serfs—the only bond between them and their employers being money-wages. The least comfortable part of the house is assigned to them to live in; little care is generally taken of their comfort; it is forgotten that they have feelings, affections, sympathies; they are treated with distrust, suspicion, and harshness; their better nature is crushed; they become treacherous, cunning, careless, wasteful, and often vicious. This is the character, we believe, which a large proportion of the mistresses in this country will be found ready to give to their servants. And why? Because they have themselves in a great measure made them so. They have not treated them with that respect and kindness which one human being has a right to demand of another, whatever be the station of life which they fill, whether that of mistress or servant. There must be sympathy and love, in order to produce sympathy and love in return. How unreasonable it is to expect the faithful service of those to whom we show, by our conduct, that we do not confide in or esteem them. We must show kindness in order to beget the affection of others. We must display amiable qualities to others, in order to have their hearty and reasonable service. Treat servants with kindness and sympathy, and you will inspire their affection; but treat them with distrust, as

mere servants and workers, without feelings and affections, and they will distrust, fear, and perhaps hate and despise you. The want of sympathy is the source of endless carking, care, and suffering in society; and it is to be feared, that it is the want of sympathy which renders the relations of domestic life, as between employers and servants, so prolific a source of misery as it now is.

In truth, we greatly require a moral regeneration of the people—one which shall include the very lowest, as well as the very highest order in society. We need the exercise of sympathy, of fellowship, of social co-operation, of Christian love and affection. It is only by the exercise of these qualities on the part of the rich, that a willing obedience is ever to be yielded on the part of the poor. The anti-social, sectarian, and class spirit, so distinctive of all classes in this country, must be broken down, ere we can get rid of those contentions, heart-burnings, and [constant bickerings which now destroy the peace of the community. We must recognise the dignity of labour for all, and the necessity of admitting the labouring class to their fair share of the privileges of the state as free men and citizens. We must no longer hold them as a “slave class.” Let us do full justice to them, that our nation may no longer be branded with the curse of social enmity. Above all, we need the extension of sound education among the people—not a mere education of reading and writing, but one which shall embrace their whole physical, moral, and intellectual nature. The great mass of the working-class—men and women alike—are weak and oppressed, because they are uneducated and ignorant; and ignorance, be it remembered, is weakness, for the very same reason that knowledge is power. Education would strengthen their hands, and increase their influence in society. It would enable them to grapple effectually with the evils of their condition, as well as set them in the way of attaining true happiness as rational beings. Woman, especially, stands in need of education; inasmuch as she is one of the great instruments by which the people themselves are to be educated. She is, indeed, the great Teacher. The moral condition of a people is almost entirely her work; accordingly we look to her education, and the improvement of her social condition, as one of the most efficient means of reconciling and allaying the now discordant and jarring elements of society.

S. S.

POSITION AND PROSPECTS OF THE NATIONAL LAND COMPANY.

In the "*Labourer*" for October, we gave an outline of the propositions intended to be submitted to a Conference of this body, with the view of obviating the legal objections to its constitution which were urged during the recent Parliamentary inquiry. That Conference has met, deliberated, and decided with reference to these propositions, and it is now our duty to report progress to the readers of the "*Labourer*," most of whom, we believe, have a deep personal interest in the subject.

To a very considerable extent we find ourselves forestalled in the performance of this duty by an article in the "*Northern Star*," in which a lucid and impartial narrative of the movement is given, together with a review of the proceedings of the late Conference. We propose to transfer that article to our pages, thus securing for its statements a more permanent position than the ephemeral columns of a newspaper. The defect of the article is the brevity of its comments upon the actual business transacted by the Conference, a brevity, we presume, called for by the necessity for condensation in a leading article, and which we shall endeavour to remedy by such additions to the text as seem to us requisite to give a complete and clear idea of the business. After adverting to the importance of the decisions of the late Conference, and the fact that they both immediately and remotely affect the interests of a large portion of the industrial classes, the article proceeds—

"Perhaps no plan in modern times has been so violently assailed and denounced, or so hotly and zealously defended and supported, as that of the National Land Company. To some extent this makes it difficult to pass a dispassionate and perfectly impartial judgment upon the subject, because in an atmosphere of heated discussion it is impossible for any one entirely to escape the pervading influence, or to be more or less biassed on one side or the other. For our own part, while we have never shared in the extreme anticipations of some of its more sanguine promoters, and have discerned in the distance numerous practical difficulties, both external and internal, we

have, at the same time, clearly perceived the fallacy—not to say falsehood—of the popular accusations against it, and of the ignorant and unthinking condemnation passed upon it by persons whose sole knowledge of its nature, constitution, and objects was derived from the columns of journals unscrupulously devoted to calumniate and misrepresent it.

“By these parties the Plan has never received a fair and candid examination upon its own merits. It has, throughout, been associated with an extreme and an obnoxious political creed, and a political chief who has the fortune or the misfortune to be unpopular with all those who fatten upon labour, without, in any way, repaying the benefits they receive from the community at large. If from the very commencement a storm of misrepresentation had not thus been raised, and the Plan had been tried by practical tests, both as to its fundamental principles and leading objects, it would, we are certain, have been declared to be as sound in the first respect as it must be admitted to be benevolent in the second.

“Despite the speculative and mischievous theories of writers of books and pamphlets on Political Economy, the common practice and experience of all ages have shown that the soundest foundation for national wealth, prosperity, and contentment, is to be found in a wide diffusion of landed property among the whole population, and the application of a preponderating amount of the labour of the country to the production of food and the raw materials of wealth. The neglect of this primary principle of sound national economy has mainly conduced to place this country in its present miserable and perilous position. The people have been, to a great extent, divorced from the soil, and their energies directed into the precarious and fluctuating pursuits of manufactures and commerce. The land has, in the meanwhile, fallen into the possession of a very few families, and we may fairly say that the vast majority of the people are really and literally aliens in the land of their birth and recall the touching passage of Scripture, ‘The foxes have holes, and the birds of the air have nests, but the Son of Man hath not where to lay his head’ of his own.

“To remedy this great evil—to restore the equilibrium to the State machine—to reconstitute society more in accordance with those great natural and equitable laws, which are the only foundation and guarantee of national well-being—the originators of the National Land Company proposed their plan. The immediate object was, no doubt, to give land to the landless, labour to the unemployed, and an independent command over the decent comforts of life to the poor, by the free exercise of honest industry—but, if carried out to the full extent which *the principle* may, and must be, it will necessarily produce the result we have stated.

“That the machinery by which the object was sought to be attained, in the first instance, was imperfect, and the calculations incorrect, may be readily admitted, without, in the

slightest degree, invalidating its claims to public support. Where a plan is right in principle, and calculated to be beneficial in practice, these small details are of very minor importance, and such as increased experience is sure to give the means of rectifying—and of rectifying in the best and most effective manner.

“Such appears to us to present briefly the abstract case of the Land Company. Now for its actual history. Like many other plans for the elevation of the working classes, it lingered for some time with but slight support. All at once, however, a mania—if we may so call it—seized upon tens of thousands of persons, who eagerly pressed forward to enrol themselves as shareholders. It was repeatedly stated, before the Select Committee, that the sudden increase of business completely overwhelmed the Directors, and rendered it almost impossible to keep pace with it. It is evident, too, that this added heavily to the responsibilities laid upon them, and that if any defects existed in the working machinery and minor details of the Company, it was sure to press heavily upon them, and aggravate materially any injury they were calculated to inflict.

“The Directors, however, appear to have done their best to provide for this unexpected influx of shareholders, and Mr O'Connor, warmed into enthusiasm by the rapidity with which the shareholders increased and the funds poured into the treasury, may be well excused for forgetting the fickleness of public opinion, and that it was possible the tide might ebb quite as rapidly as it had set in. With the natural and—under all the circumstances—justifiable sanguine anticipations which his position warranted, he devoted his whole time to the Company—purchased estates wherever possible, and made prospective engagements for others, upon the faith that the shareholders would continue to supply him with funds. On his part, at all events, there was not, and never has been, any reason for withholding them. What the Company required from its members—what it proposed to do—the mode in which it was to be done—and the practical operations in which Mr O'Connor was engaged, from week to week—were all published, and weekly submitted to the gaze and the scrutiny of the whole country. His confidence, too, had this additional stimulus and justification—that, notwithstanding a persevering and earnest attempt, on the part of systematic opponents of the Plan, to damage it and him in public estimation, the weekly income of the Company augmented instead of diminishing, and votes of unbounded confidence in his integrity and in the practicability of the Plan, poured in from all quarters of the island.

“Under such auspices, Mr O'Connor applied to Parliament for a Bill to legalise the Company; and immediately upon ascertaining that before such a Bill was granted a scrutiny of the Plan, and of the affairs of the Company, was desired by

parties influential with the Government, he at once moved for a Select Committee of the House of Commons to investigate the whole matter. It is unnecessary for us to say more of that investigation than this: that, after being conducted in a spirit most hostile and unfair to Mr O'Connor and the Company by the Chairman—a well-paid Government official—after its accounts had been subjected to a scrutiny altogether unparalleled in Parliamentary annals—the Select Committee reported to the House in the most laudatory terms of the honesty and good faith by which the whole of the transactions had been characterised—gave the lie to all the foul and dastardly charges made by the Press, and by individuals, against the personal honesty of Mr O'Connor, by showing that, besides the devotion of his time and money to the service of the Company, he had, in his anxiety to forward its objects, actually advanced a large sum out of his own pocket to carry on its operations. The Committee pointed out the defects of the constitution of the Society, as tested by the existing law of the land with reference to Joint-Stock Companies and the Lottery Acts, and most favourably recommended Parliament to give the shareholders the opportunity of amending the constitution in such a way as to obtain the sanction of the law.

“Never was a more signal triumph achieved; but, strange to say, the people who, while the scheme was reviled and calumniated, sent in their subscriptions at the rate of thousands a week, no sooner found that the Company had passed substantially unscathed through this severe ordeal, than they began to drop off—the thousands dwindled into hundreds—the hundreds into tens—and they thus took the most direct and certain method of proving the ‘impracticability’ of the plan, which had so long been prophesied by its enemies.

“These sudden and unaccountable alternations of popular feeling are not uncommon, and must be submitted to by all who take part in public affairs; nor is the National Land Company the only one now experiencing their injurious effects. There has been a still greater panic in the Railway Share Market. The shares of the most substantial and best established lines have been unsaleable at two-thirds and one-half of their former prices. The Directors of all the principal companies have been compelled to come forward at last, and give what Mr O'Connor always has done—an open statement of the pecuniary and general position of their respective concerns; and even with these enforced financial accounts, and the postponement of every line for which Bills have been obtained, but not yet commenced, the market is still heavy, and a serious depreciation in that kind of property seems, for some time at least, to be probable.

“To return, however, to the history of the National Land Company. Upon receiving the triumphant verdict of acquittal from all the charges which had been brought against the

pecuniary management of the Company, and ascertaining precisely what the legal objections were to its constitution and its financial calculations, Mr O'Connor took prompt and decisive steps, in conjunction with the Directors, to remedy the defects so pointed out. After consulting practical and experienced persons, a draft of alterations to bring the Company within the scope of the law, and ensure the fulfilment of its objects, was submitted to the members; the Directors personally visited them in various localities, in order that they might be fully discussed, and an opportunity afforded of giving the fullest explanations. A Conference was also called, at which the shareholders were fully and fairly represented, to whose decision the whole question was submitted, and it is to the proceedings of that Conference we now wish especially to direct the attention of our readers.

"It will be remembered that the principal legal objection to the constitution of the Company urged by its opponents, was the Ballot for Allotments, which, it was alleged, brought it within the scope of the Lottery Acts. The Conference has obviated this objection by deciding, 'That future locations of members shall be decided upon the principle that those who have paid the highest amount into the funds of the Company shall be first located.'"

Upon this the "*Star*" merely observes, that while it is lawful it is at the same time obviously just in itself. To this brief comment we may add, that it disposes effectually of the numerous objections raised to the Company on the score of its violating the Lottery Acts. That was one of the great cards played by the opponents of the Company during the investigation before the Select Committee, and the one on which the Judge Advocate mainly relied in drawing up his adverse report, which was rejected by its members. For our own part, we do not see that the case (instanced by Mr. O'Connor) of the Art Union Lottery, which has been expressly legalised, has so strong a claim to exemption from the operation of the Lottery Acts as the National Land Company. It may be desirable to induce a large number of persons to subscribe a guinea a year with the hope of getting a fine picture, and thereby cause a larger amount of money to be spent in encouraging painters and engravers, than would otherwise be the case. But we submit, that it is at least equally desirable, that the working classes should have a chance of escaping from a life of long, unrewarded toil, closed by the vision of the workhouse in the distance, by the use of the same machinery. What is sauce for the goose ought to be sauce for the gander, and the fact of the government and the legislature expressly legalising lot-

teries for pictures among the middle classes, while they set their face against lotteries for small farms among the working classes, can only be set down as one of the numerous illustrations of the incessant and ever active hostility which the privileged classes evince towards every plan which promises, however remotely, to promote the independence of the labourer. We say this, assuming, for argument's sake, that the ballot for allotments was a lottery in the essential meaning of the term; but, as was forcibly insisted upon by Mr. O'Connor, there was this important difference between the ballot of the Land Company and a common lottery, that a paid-up share entitled the holder to draw until he got the prize guaranteed to the amount he had paid. Ordinary lotteries give but one chance and no more; if that chance turns out a blank, the loser has to pay again before he is permitted to renew his efforts to secure a prize. It is not improbable that the retention of the balloting system would have powerfully tended to have kept up the payments of the shareholders, and thus to have furnished the funds for rapid and continuous operations on the part of the Directors; but it must be admitted that there are drawbacks connected with the practice which, though not apparent in the earlier stages of the Company's progress, would have disagreeably developed themselves as these operations became more complex: one thing is certain, the alteration made by the Conference was imperative. It was an essential and indispensable condition to the legalisation of the Company, and to attain that is an object of such importance, that all minor considerations ought to give way. But when the regulation is looked at intrinsically, it will be seen, as we have previously said, to be a just one. It is the principle of every Mutual Assurance Company, that members shall participate in the benefits in proportion to the amount of the premiums they pay. Who have a better prior claim to be located upon the estates of the Company than those who have most largely contributed to the capital with which these estates were purchased and prepared for occupation? The arrangement, so far from causing any discouragement, ought to, and we believe will, in every honourable mind, prove an incitement to increased exertions, for the purpose of placing themselves in the position indicated by the resolution, and thus, we hope, supply funds, as they may be required for future operations.

As, however, a strict adherence to this just provision in the abstract, might have had the effect of discouraging the

poorer shareholders, the Conference, in order to obviate any possible objection on this point, and to give all, as far as practicable, an equal chance of participating in the benefits guaranteed by the Company, resolved that a Joint Stock Loan Company should be established and enrolled under the Joint Stock Loan Societies Act, from which the poorest members may obtain the means of placing themselves, as far as this regulation extends, on an equality with their better paid fellow members. We look upon this as an admirable addition to the working machinery of the Company. Properly managed it may, to a great extent, effect many of the objects for which the Land and Labour Bank was originally established. If it had sufficient capital, loans might be granted to individual allottees, to enable them to purchase the fee simple of their respective holdings on the security of these holdings themselves, and guaranteeing the regular payment of the interest, which in that case would take the place of the rent they will have to pay to the Company, as long as they have not purchased their allotments. By this means, the Loan Company might perhaps be made, as we have suggested, a tolerable substitute for the Bank, within the limits allowed to such Companies by the law.

Another arrangement agreed to by the Conference, with the view of facilitating the location of members, was the establishment of what is termed a Bonus Fund, although the term is somewhat misapplied, if we take the ordinary custom of building societies as our guide to a practical explanation of its meaning. In these societies, where a member pays a Bonus to get possession of a house or other property, the sum so paid becomes the property of the whole society, in the advantages of which he can only share as a unit of that society. But in the scheme of the Conference the term "Bonus" means something much more favourable to the shareholder. It is, in fact, neither more nor less than the first instalment towards the purchase of his holding, and he receives the full advantage of it in the shape of a reduced annual rental in proportion to the sum so paid, and also a conveyance in fee simple, subject to such rent-charge. By these means the person who pays what is called £100 Bonus on an allotment which has cost £300, will only have to pay £8 a year rent instead of £12; his allotment will be freehold instead of leasehold, and he will thereby be enabled, in the first year or two, to command upon its security such small pecuniary advances as may be required for overcoming

the difficulties incident to a change of occupation and the transition state which all parties so placed must pass through.

The next resolution is somewhat confused in its terms, but we understand it to have substantially the same object in view as those we have already noticed. It is: "That the amount paid into the funds of the Company, over and above the price of two, three, and four acres respectively, shall be placed to the credit of the members, and shall be employed in the liquidating of their liabilities to the Company, and that the paid-up capital of unlocated members shall bear interest at the rate of four per cent. per annum." The first part of this resolution, as we understand it, is essentially the same as that we have just adverted to; that is, if the holder of an allotment pays into the funds of the Company £20, £40, or £50 more than the price of that allotment, that it shall be either allowed as payment for rent until the sum is exhausted, or that the annual rental shall be reduced in proportion to the amount so paid. The concluding portion is clear enough. It distinctly guarantees four per cent. upon the paid-up capital of unlocated members; and this, while it is a just provision for them, will, we apprehend, prove of the greatest possible utility to the Company in its corporate capacity. If the paid-up shares of unlocated members did not bear interest they would be unsaleable to others. Now this would involve a hardship to individuals which it is desirable to avoid, and would cause an injury to the Company in consequence, which it is still more necessary should be prevented. If a member, having paid up his shares, and not having obtained a location, desired from any cause to part with his shares, the fact that they bore no *present* value, would in all likelihood prevent him from obtaining a purchaser, and the Company would have a discontented member to fight with; whereas, if his shares bore four per cent. interest, they would present an available and eligible investment to persons with small capital, who would be very happy to obtain such an amount of interest. It appears to us, therefore, that the interests of the shareholders individually, and of the Company collectively, combine in support of such an arrangement. It may, however, be matter for consideration what difference per cent. there should be charged upon the property of the Company, and that guaranteed upon the paid-up capital. It is clear that the last should be less than the first, in order to leave a margin for working expenses and contingencies. If our

version of the resolution be correct, it ought to act as a powerful stimulant to the shareholders to pay up their shares immediately, because the amount of interest fixed by the Conference—four per cent.—is much higher than they can get in any savings bank, and by having their shares paid up they will, according to the first arrangement we have mentioned, be eligible for location as fast as estates are procured. Having thus given a somewhat fuller statement of the nature and scope of these important alterations than that in the "*Northern Star*," we resume our extracts from that article :—

"The next important point to which the attention of the Conference was directed, was the time of location, and the circumstances under which the allottees should be permitted to take possession of their holdings. Upon this subject a great difference of opinion seems to have prevailed, and Mr O'Connor, with reference to the complaints from different estates, forcibly observed at an early stage of the proceedings, 'That the occupants were located on the 1st of May, at O'Connorville—that was a bad season. They were located at Lowbands in August—that was a bad season. They were located at Minster in March—that was a bad season; and they were located at Snig's End in June, and that was a bad season—and, therefore, until he was able to add a few more months to the year he should like to know when the proper season would be? and that question was one of the propositions that would be submitted to the Conference, to name, not the month, but the very day of the month, when they should be henceforth located.' Whatever may be the practical effect of this arrangement, it will, at all events, take the responsibility from the shoulders of the Directors. The Conference, by fixing the time of location on Old May Day in future, no doubt fully considered all the circumstances involved in that decision, and coming as it does from that body, it may be reasonably assumed that the general interest has been consulted, as far as possible.

"These appear to us to be the principal alterations resolved upon, with the view of enabling the Directors to proceed to complete Registration under the Joint Stock Companies Act, when the property will be forthwith put into the legal possession of the three trustees appointed by the Conference—Thomas Allsop, Esq., Thomas Slingsby Duncombe, Esq., and John Sewell, Esq.; and, as a still further guarantee for the proper management of the pecuniary affairs of the Company, Mr. Grey, the eminent Accountant, and Mr Finlaison, the Actuary of the National Debt Office—the very gentlemen selected by the Government for the purpose of destroying the Company, if possible—were appointed auditors. If the Registration under the Joint Stock Act can be completed by

Christmas Day, it was resolved that a life-interest and a reversionary lease shall be granted at that time, to all the members at present located.

"The whole of these alterations appear to us to be characterised by the most anxious desire to meet every possible objection, and to promote the advantage of the shareholder to the fullest extent. Indeed, we have some misgivings whether this one object has not been unduly kept in view. In order that the Company, in its corporate capacity, should have been able to act freely in accordance with circumstances as they arose, it might perhaps have been desirable that they should have a greater latitude than the new arrangements appear to confide to the Directors. Another point also we feel constrained to allude to—namely, the original capital subscribed by the shareholders. We understand that the Conference was mainly composed of the district secretaries, and therefore all of them men thoroughly conversant with the means of the members in their respective localities. But with all deference to them and the Directors, we submit, that legislating for the very poorest of the members is not the most direct way of benefitting that class. In some way or other capital must be raised to purchase land, erect dwellings and outhouses, and give the preliminary cultivation required by the rules of the Company; and for our part, we see no more feasible or just method of raising it in the first instance, than by making the amount of the original share subscribed for bear a fair relation to the benefits proposed to be conferred on the shareholder by the Company.

"One thing is quite certain, that the members must, in justice to the Directors and the Conference, immediately commence the payment of their arrears in the ratio decided upon by that body—namely, 2d. per share weekly—if the Company is to proceed at all. With what face can any of them complain of the slowness of the progress of the Company if they withhold the means? The number of persons who have merely subscribed a few shillings and then stopped, apparently for the purpose of being entitled to grumble, is very large. The Directors ought, in all cases, to insist upon the regular re-payment of arrears, and also of the current payments upon shares required by the laws, and where these are not forthcoming, at once to declare the shares forfeited upon which these arrears are allowed to remain. In this way the Company would be weeded of those who, while they multiply the apparent amount of its responsibilities, do nothing whatever to provide the means of meeting them.

"With respect to the complaints made at the Conference by the representatives of the various Estates, we must say that, while we fully sympathise with the parties by whom they were made, in any privations or difficulties they may have undergone in the transition from one occupation to another, we must, at the same time, remind them that these difficulties

and privations were inseparable from their own limited means, the funds at the command of the Company, and the necessary inconveniences arising from a first year's employment in what, to many, was a new and untried field of labour. One deduction only we shall make from these complaints, and that is—if the allottees of the National Land Company, who have been provided with a comfortable dwelling and outhouses, have had their little holdings put under cultivation, and been assisted by grants of money—if these persons, going from town to country life, have found the transition so difficult with all those advantages, what must be the fate of those who are tempted by emigration-mongers into Canada, or the colonies, or the Far West of the United States, to commence a new life on the prairie, or in the forest, altogether unaided by any of them, and removed, besides, from the thousand minute and subtle encouragements and helps which a densely peopled country presents to the man who has his own cottage and his own labour-field beside it?

“Upon a calm and dispassionate review of the whole circumstances of the case, and the measures, resolved upon by the Conference, to justify and secure public confidence, it appears to us that everything that could possibly be desired by any person, however suspicious or exacting, has been done. If the Company does not, in future, advance so rapidly to the attainment of its objects as the more impatient of its members may think it should do, they will at least know the cause of the delay. The Directors may well reply to all complaints of that kind in the language of the Jews to the Egyptian task masters, who wanted them to make bricks without straw. They have done all they could to bring the Company within the law, and thus at once give protection to the property and legal responsibilities to the officers. They have in every conceivable and reasonable manner accommodated their arrangements to the means of the poorest members. They have devised and resolved upon measures by which, if the shareholders will only do their duty, the progress of the Company will be immediately accelerated. Mr. O'Connor, the Directors, and the Conference have done their duty—it remains for the members at large to do theirs.

“Let us just add, in conclusion, that the working classes of England are in some measure put upon their trial in this case. Their conduct with reference to it will show whether they are mere fault-finders and grumblers at other people, incapable of making any enlightened and continuous effort for their own improvement; or whether, while keenly alive to the injustice and defects of our political and social institutions, and determined to obtain the necessary legislative and Governmental reforms, they can and will, at the same time, manfully and perseveringly use all the means in their power for the benefit of their order. The spirit of self-helpfulness is now appealed to; the right direction of the

enormous means which the records of the National Land Company prove they possess, is now securely provided for. If the shareholders once again rally in their strength and unity, and supply the means at anything like the same proportion as formerly, they will make an impression upon the privileged classes far more powerful than they now dream of. The political reforms which at present seem remote, may be speedily brought within reach by the well-regulated action of a wealthy and peaceable body of small yeomen, such as would be created over broad England by the National Land Company."

Perhaps we might also here close our review of the past proceedings, present position, and future prospects of the Land Company. But a few facts have recently come under our notice, which strike us as being worthy of record in connexion with the subject, and as claiming appropriately to be introduced on the present occasion.

The principle of the National Land Company is to purchase land in the wholesale market by means of the united capital of the working classes, and to sell it to them again at *cost price* in such small holdings as may be suited to their respective wants and means. We have heard much in condemnation of this plan. It has been derided as visionary, impracticable, and dishonest. All the hungry hounds of the Press have been put on the trail and yelped condemnation in chorus. But, notwithstanding this angry howl, what do we see? Why that, as in the case of every sound principle, other parties are copying it, and, we will add, perverting it to selfish purposes never contemplated by its originators. Two illustrations will prove this.

It will be remembered that last session a Bill was introduced called "The Farmers' Estates (Ireland) Bill." It passed with comparatively little opposition in either house. We were in the House of Lords when Earl Devon moved its second reading and explained its objects. These were briefly to incorporate and legalise a Company of capitalists to purchase estates wholesale in Ireland, and then to parcel these estates into small holdings of not less than thirty acres, to be sold or let upon lease to small capitalists. His lordship dilated at considerable length upon the immense benefits which such a mode of proceeding would confer upon Ireland, where the creation of such a body of small yeomen was one of the most pressing wants, and offered the only way of laying a sound foundation for its future prosperity. He showed the impossibility of bringing capital and labour to the cultivation of the neglected soil of Ireland, so long as

it was locked up in masses in the hands of negligent, improvident, and insolvent landlords, and vividly described the advantages which would necessarily flow from a wider diffusion of the sense of property among the people at large. Lord Beaumont, a crotchety, but clever political economist, whose head is filled with the absurdities of Ricardo, Maculloch, and all the other writers of nonsense on that subject, immediately after Lord Devon's exposition stood up and opposed it in the strongest manner. After prophesying all kinds of possible and impossible evils as likely to result from the measure if it were carried, he concluded by stating, that it was merely a wholesale adoption of the principle of Mr. Feargus O'Connor's bubble Land Scheme, and on that ground he should oppose it. His opposition, however, was ineffectual. The bill passed both houses, and received the Royal Sanction. So that we may say the Legislature and Government have already recognised and sanctioned the essential principle of the Land Company. It is true that Lord Devon defended his Bill on the ground, that by limiting the size of the farms to thirty acres the possible evils of minute subdivision would be avoided; and that such is the horror of "over population" in the minds of "hon. members" and "noble lords," if any smaller number of acres had been proposed the Bill might have experienced greater opposition. But the principle applies equally to three acres as to thirty; and after a small capitalist has purchased thirty acres from the Farmers' Estates Society, we see nothing to prevent him from afterwards parcelling out these thirty acres into as many smaller allotments as he pleases.

But here was the real difference between "Mr. Feargus O'Connor's bubble Land Scheme," and that of Lord Devon. The one proposed to give the poor man *all the benefit* of purchasing the land in the wholesale market, the other to put into the pockets of the capitalists the difference between the first cost and the price at which they afterwards sell the land in the retail market. This last is a practice so completely in accordance with our present commercial and usurious system—based on the principle of buying in the cheapest and selling in the dearest market—that, of course, it was certain on that ground alone to secure the support of a legislature, in whom the love of Mammon has overpowered all other passions.

We observed some time since, that at a meeting of the Society in Ireland, Lord Devon gave a cheering account

of the progress of this movement, and repeated his anticipations as to the benefits it would confer upon Ireland.

We find another example, nearer home, of the adoption and practical application of the principle of the National Land Company. The Committee of the Birmingham Freehold Land Society have just issued their report for the past year. This society is formed for the purpose of giving county votes to its members in the same way as the Anti-Corn Law League did, and by means of which they swamped the genuine freeholders of several counties by an irruption of voters from distant or neighbouring towns, manufactured expressly for the purpose. We give from a free trade and "political economy" paper the following abstract of the Report for the past year :—

"The Central Society at Birmingham now numbers 991 members, who own 1,442 shares, and subscribe nearly £500 a month. They have been instrumental in forming six independent Societies, containing 1,117 members, in the neighbouring towns; that at Coventry, containing 294 members, 360 shares; Dudley, 118 members, 139 shares; Stourbridge, 110 members, 145 shares; Worcester, 103 members, 140 shares; Wolverhampton, 412 members, 522 shares; Stafford, 80 members, 91 shares. During the last five months the Birmingham Society has allotted to its members 195 lots of freehold land, situated in South Staffordshire. These lots cost £3,700, and were allotted to the members at an average cost of £19 for each lot, which will be repaid in less than five years, at 1s. 6d. per week. The Committee have now under their notice the purchase of two large estates, one of which, if obtained, will qualify about 400 members for the Northern Division of Warwickshire, a number sufficient to raise the minority of last election to a majority. The Committee state the secret of their success in effecting cheap purchases for their members to be this :—they buy the land wholesale, and sell it retail at the wholesale price. The Anti-Corn Law League bought their qualifications for members *individually*, at a price, exclusive of deeds, of from £50 to £70. The difference is effected by buying £3,000 or £4,000 worth of land at once, getting thereby twice or three times as much land in proportion for the money, as by buying £20 worth at a time."

The Editor continues :—

"According to the present prospect, the Central Society, at Birmingham, standing, as it does, on the borders of three counties, will, with the aid of the neighbouring towns, be able to secure three divisions of counties. What, for instance, need prevent Birmingham and Coventry winning 'North

Warwick ?' and 'East Worcester' and 'South Stafford' are as easy of attainment. These are the political advantages ; but surely in addition to these, the training of so many industrious men in the earnest habit of saving for so good an object, is in itself a result of great importance."

Now, waving altogether, for the moment, the political question involved in the attempt of Birmingham and Coventry to swamp the county constituencies of "North Warwick," "East Worcester," and "South Stafford," let us just notice how the Political Economists and Free Traders can laud the principle of the National Land Company when it is made subservient to their purposes. Perhaps it would be impossible in a shorter space, or in more perspicuous and forcible terms, to define that principle and practically illustrate its operation and benefits, than in the extract we have just given :—"The secret of the success of this society in making cheap purchases for its members is this: *they buy the land wholesale, and sell it retail at the wholesale price.*" The result is, that the members get their allotments at £19, whereas the Anti-Corn Law League, which purchased *individually*, paid from £50 to £70, exclusive of deeds. "The difference," continues the amiable commentator, "is effected by buying £3,000 or £4,000 worth of land, at once, getting thereby *twice or three times as much land in proportion for the money as buying £20 worth at a time.*"

Now, we put it to the working classes of this empire, whether, after this emphatic adoption of the principle of the National Land Company by the legislature for the benefit of the capitalists, and by the middle classes for the purpose of still further extending the political influence of that class, and making it dominant alike over peer and peasant, landlord and labourer—we ask them, whether they are prepared to see this great principle perverted into a new weapon of offence and aggression in the hands of the ruling classes, and not use it as at first intended by Mr. O'Connor? We have seen many institutions established for the benefit of the labouring classes iapse into the hands of those above them, in consequence of the apathy and divisions of those for whom they were originally framed ; but we can scarcely conceive it possible that after what has been achieved for the sons of industry by the application of this principle, and this unreserved and open adoption of it by the very class who were formerly loudest in its condemnation, that it can occur in this case. The labouring class must see that those

who live upon their toil, feel that at last they have, "hit the right nail upon the head." At last the day of deliverance from the house of bondage has dawned for the long oppressed slaves of capital and machinery; and the fear of the oppressor is, lest they really do arise in their moral, pecuniary, and associated might, and escape for ever from the poverty and misery to which they have hitherto been doomed from infancy as a class.

To all future misrepresentations of the principles and plans of the National Land Company, and of the integrity of its managers, a triumphant answer is furnished by these facts:—the honesty with which it is managed has been vouched by a Parliamentary Committee; its principle has been formally adopted by the legislature, and gone forth as law, stamped with the fiat of the sovereign "*La Reine de veut*;" the middle classes have adopted it, as usual, for the promotion of their own selfish purposes. It is the real fulcrum and lever combined, by which the Labourers may raise a new social and political system.

They have, we must repeat in conclusion, no excuse for not availing themselves of the powers thus offered. Everything that could be done to give confidence, to insure stability, and to dispense justice even-handed, has been done. To the working men of this empire must be left the task of lifting up the veil that rests upon the future, and of deciding whether they will bequeath to posterity a heritage of toil, destitution, and slavery, or a glorious birthright of political, social, and industrial independence and freedom.

THE FOREIGN EVENTS OF THE MONTH.

November has been, perhaps, the most eventful month of the year, as it regards Continental politics, if we except those of February and March last; eventful, however, in a retrograde sense, inasmuch as the great incidents to which it has given birth consist mainly in acts of royal duplicity and treachery, accompanied with the grossest oppression and military terror. In order to restore the kingly and aristocratic systems of despotism, upset by the popular risings of the people in the spring, two potentates have signalled themselves in this work of reaction—the Emperor

of Austria, and his "Grace of God," Kingship, Frederick William of Prussia.

Regarding Austria, it will be recollected that an insurrectionary movement took place in Vienna early in October, which resulted in the expulsion of the Imperial troops and the flight of the Emperor. This arose from the popular dislike to the cabinet ministers—whom the Emperor, despite the majority of the National Assembly, kept in office—excited into insurrection by the discovery of certain correspondence and the documentary evidence showing that the Minister of War, Count Latour, while professing in public great sympathy towards the Hungarians, was actually in private supplying the Ban of Croatia with men and money to carry on the civil war, in order, we presume, that, like the Kilkenny cats, the belligerents might eat up each other, and thereby rid the "good old Emperor" of two batches of very refractory subjects at once. It was discovered from official documents found on the person of Count Lemberg, the Emperor's delegate, slain in a popular outbreak at Pesth a few weeks before the Viennese outbreak, and by other equally authentic papers found in possession of the brothers Zichy, who were hung by the Hungarians as traitors to the national cause, that the Slavonic movement had been fomented, if not originated, by the Emperor, instigated by his confidential advisers, the Archduke Ludwig and the Archduchess Sophia. It was further discovered, that at the very time that Jellachich was proclaimed a traitor to the cause of German nationality, he was acting in strict concert with the Austrian ministry. Immediately before the insurrection broke out some letters of the Ban to Latour were intercepted, pressing for more men and money, and complaining that his soldiers were not so hospitably entertained as he had been led to expect. The public mind was thrown into a ferment at this scandalous double-dealing on the part of the court and the cabinet, and it only required the order "commanding the German Grenadiers to leave Vienna," in order to form part of the army organising against Hungary, of which the Croats were to form a material part, to fan the smouldering embers into the flame of revolution. We all know the results. On the 6th and 7th of October the populace of the capital, assisted by a small portion of the military, defeated the Imperial troops and obtained possession of the whole city and its suburbs. In the *melée* Count Latour, the obnoxious Minister of War, was dragged from his

hiding-place and hung at a lamp-post, while the Emperor ran off as he had done before, only in another direction—to Olmutz instead of Innsbruck. Thus matters ended for the time. The popular party having obtained possession of the capital, by some unaccountable fatality rested satisfied with that success. Instead of at once making common cause with the Hungarians, who expressed themselves ready to assist them, and following up the advantage obtained in the capital by instigating popular risings in the country, thus harassing and distracting the military, they began to higggle and negotiate through deputations with the Emperor, who met every advance of theirs in the most evasive and equivocal manner. Meanwhile, it was giving the Camarilla and the aristocracy time to recover from their defeat, and the result was soon seen in the marching of troops from all points of the empire where they could be spared to surround Vienna. For a month this cordon of bayonets and cannon was forming; meanwhile the Viennese leaders, having disgusted the Hungarians by their coldness and indifference towards them, were losing every advantage through coquetting with the Emperor, in the hope that he would restore himself to his “beloved people.” The only answer given was the appointment of Prince Windischgratz military commandant, with unlimited power, and the bombardment of Vienna. Not a single wish or prayer of any of the numerous deputations that waited upon the Imperial idiot, was, in the least degree, attended to. His advisers had for months made up their mind to retaliate on the successful revolutionists of the Spring, for the deposition of Metternich and his accursed system. The Camarilla had not forgiven the Democracy of the capital for their dissolution of the old soul-killing, man-debasing despotism, of which the dungeon and the scaffold were the prime supporters—or the Diet for their manumission of the serfs whom the great slave owners of the empire held in their iron thrall. Hence they had resolved to regain what they had lost the first favourable opportunity; this now presented itself, and the chance was most eagerly embraced: the bombardment of Vienna, and the wholesale decimation of its popular leaders followed, and was hailed with joy by every coronetted and titled plunderer of industry, not only throughout the wide extent of Austria, but the continent of Europe. The sack of this great capital by the combined hordes of Windischgratz and Jellachich, is now matter of history, and as such it will stand as one of the most infamous acts of royal ruf-

fanism which the world has yet experienced ; signalised not only for the indiscriminate murder of men, women, and children, by the two-legged, mindless, physical-force machines, marshalled by the Ban of Croatia, but by the wholesale assassination of all the leaders of the people. Shooting and hanging have been the order of the day since the Imperial cut-throats were let loose by the "father of his people," upon his "dearly beloved children." One of the most audacious acts of the military miscreants in power, has been the murder of Robert Blum, of Leipsic, who went as a member of the Frankfort Diet, to advise with, and assist the brave people of Vienna in the crisis of their affairs. After the bombardment and storming of the city, he was seized, imprisoned, and shot like a dog, notwithstanding his position as a member of the German Parliament. Messenhauser, the brave commander of the National Guards, has shared the same fate ; while a most rigorous proscription is carried out against "literary and professional men." So says the "*Times*," the great British organ of the plutocracy. Everything in the shape of mind or idea is hunted down by the epauletted Goths, who have desolated the finest city of eastern Europe. Brute force and royal idiocy are again in the ascendant—the Diet suspended—the Constitution carried on the point of Windischgratz's sword—cannon the only tolerated political argument—the press gagged or suspended—the citizens disarmed, opinions proscribed ; these are the blessings poured upon Austria by the triumph—temporary, we hope—of the despicable court faction that at present rule the jabbering fool whom accident has made the monarch of an empire he knew not how to rule.

Gloomy, though this picture of affairs may be, we do not therefore despair. Hungary still maintains a stubborn front, and must require a powerful army to subdue her. Lombardy may yet occasion considerable trouble, and will, at all events, keep the old marauder Radetzky's hands in occupation for some time to come. The assassination of Robert Blum, and the military executions which herald the advent of the Camarilla to power, are exciting the German population everywhere, and must ultimately produce an open rupture between Austria Proper and the Slavonic provinces. These facts, with the significant symptoms that Lemberg in Galicia, Innsbruck in Tyrol, Brunn in Moravia, as well as Pesth and Presburgh in Hungary, have all been declared in a state of siege, augur but little for the success of restored despotism. Thank God, a wide and im-

passable gulf is opening between the European kings and aristocracies and the people; and when the capitals of the continental nations are again in possession of the people, it will be the death-knell of those privileged scourges of their kind. Perhaps Counts—like Latour and Lemberg—may not be the only traitors to popular liberty, whose race may terminate like that of Porteous.

The success of the royalist reaction at Vienna, has given courage to Frederick William, by the "Grace of God," King of Prussia, to try a similar game at Berlin. In virtue of his "Patent from Heaven" he has formed a ministry which neither possessed the confidence of the country, nor the support of the majority of the constituent Diet, which the events of last March forced him to convene. For several months his retrograde intentions have been apparent, but he had not courage to come out in his true character till the Windischgratz experiment was successful. This determined him to get Wrangel to enact the military dictator, offering, as the paltry excuse for the arbitrary stretch of power, the pretext that the deliberations of the Diet were overawed by the Berlin mob. Having formed a cabinet of notorious reactionists, headed by his natural brother, Count Brandenburg, he suspended by a royal order the sittings of the Assembly at Berlin, commanding the deputies to meet him on the 27th of this month, at the snug little fortified town of Brandenburg, where the recusant members, who did not go the "whole hog" with royalty, could be easily overawed by the military. The great majority of the Diet resolved not to be prorogued in this summary manner, as they had been convened to the capital for the purpose of forming a Constitution, and remain there they would to complete their task. This at once brought out the true character and intentions of the royal traitor, who at once poured troops into Berlin, stopped the sittings of the Parliament, dissolved and disarmed the Burgher Guards, and declared the city in a state of siege. In the meantime, a system of passive resistance was entered upon and fully maintained, the effect of which has already occasioned great embarrassment. The military have been fairly "sent to Coventry" by the civilians, while the Diet by resolution, has stopped the supplies. The soldiers, therefore, will have superadded to their other duties, that of tax collector. Some idea may be conceived of the nature of these duties, when we state that the great mass of the provincial authorities have pronounced in favour

of the Diet, and that the King and the military are left almost alone to combat with the people. Silesia and the Rhenish provinces, are all but unanimous in their opposition to the royal authority, and if the system begun be persevered in, it must end in a sanguinary civil war, in which the existence of the royal authority, as a political element, will be the stake.

While such is the critical state of matters in Prussia, that hybrid affair, the Frankfort Diet, with the Vicar of the empire, have been playing fast and loose. They have, in one breath, condemned the conduct of the King of Prussia in appointing an obnoxious ministry, and ordering the removal of the Diet to Brandenburg; while in another they declare the stoppage of the supplies illegal. How else the majority of the Prussian National Assembly were to check-mate the notoriously unconstitutional proceedings of the new cabinet, unless by open insurrection, these sage men of Frankfort do not pretend to say. The fact is, this central German Parliament, under its present organisation, is a perfect humbug, and events are being developed that will sweep it away, along with much more rubbish that stands in the way of the full emancipation of the European democracy. Another month will bring this contest to a crisis. All Germany is interested in the war thus provoked between king and people, and all are likely to take a part, especially should the Archduke John give military aid to Frederick William. Würtemberg is full of republican spirits. Saxony is strongly excited by the death of its most eminent citizen, Robert Blum; and Baden is democratic to the back-bone. The lesser states are equally advanced; the first blow, therefore, struck in Prussia, will be to sound the tocsin of liberty throughout the whole Fatherland. The advanced opinions of Young Germany may be gathered from the following manifesto of principles published by the late Congress of German Democrats that met in Berlin:—

1. The soil is the collective property of mankind. No individual has a right to property in the soil. He who cultivates it has a right to enjoy what he wants of himself and family require, the rest belongs to the community, since all labour is social not individual.

2. Property is not an individual but a social right. Modern private property is the result of production, based upon the antagonism of classes and the exploiting of man by man. As soon as the war of the proletarians against the bourgeoisie

shall be settled, and then only, will the revolution be accomplished, property will cease to be private and become social.

3. All men have a right to fully satisfy their physical and intellectual wants. There is but one condition wherein there can be no privileges with respect to material things.

4. It is the duty of all to increase the social wealth by their labour and talents. He who does not work has no right to satisfy his wants. The producer alone can claim to be a consumer.

These principles being established, the following consequences will ensue.

1. All signorial properties, all mines belonging to companies, &c., will be declared state property, to be used for the cultivation of the earth on a large scale, according to the light of science. The proprietors will be indemnified by an annuity of four per cent. for 20 years.

2. The farmers will pay their rents to the state. The proprietor, who is neither farmer nor peasant, has no share in the production, and therefore no right to consume.

3. Private banks will be replaced by state banks. Paper money being used instead of gold or silver, it will regulate credit for all parties, and unite the conservative bourgeoisie to the revolution.

4. All means of transit, turnpike-roads, railroads, canals, steam-boats, &c., will be declared property of the state.

5. The law of inheritance will be restricted.

6. Gradual introduction of a system of direct taxation, and the abolition of all taxes on articles of consumption.

7. Functionaries must not be paid according to their grade, but according to the number of their grade and to their requirements. This law may be modified, twenty-five years after the establishment of the Republic.

8. The church is entirely separated from the state. The parishes will pay their own clergy.

9. Justice is gratuitous.

10. Education is gratuitous.

11. All are compelled to labour. No idle standing armies, for they must at the same time be industrial. The army must produce as well as consume. Besides, this is a means for the organisation of labour.

12. National manufactories may be established, and the state guarantees the existence of all who work, and takes care of those who are incapable of working.

When these are the leading principles of the active minds of the nation, it is time for kings and nobles to look out, and either accommodate themselves to the spirit of the times, or abdicate their functions. One thing is clear,

the continental populations are becoming deeply imbued not only with republican principles, but with the most advanced and ultra opinions on the subject of property and labour; of which the preceding programme may be taken as an indication.

Coming to France, the question which absorbs all others is the election of President. The struggle promises to be close and fierce. Louis Napoleon, the ex-Cockney policeman of the 10th of April, on the strength of his uncle's fame, has entered the list of candidates, supported by the whole tag-rag and bob-tail of schemers and adventurers who hope to profit by his success. Legitimists, Orleanists, Buonapartists, waiters upon providence of every kind—all, or at least the greater proportion of those who sigh for the return of a court, and its follies and frivolities, have ranked themselves under the standard of the hero of Strasburg and Boulogne. Girardin, the unscrupulous, and Thiers, the unprincipled, are the principal lieutenants of the would-be emperor, and no stone is being left unturned to place him at the head of the poll. Extraordinary efforts are being made among the ignorant peasantry on his behalf. In some districts such is the state of mental darkness, that many of the country people believe he is actually the "Grand Empereur" returned from St. Helena, and that he has never been dead at all. If he is elected, it will be mainly through the maniacal feeling of respect still entertained by a great proportion of the French people towards the name of Napoleon Buonaparte, combined with the influence of the Royalists, who wish to use him as a means of breaking up the Republic, and going back to the old system.

General Cavaignac is the candidate brought forward by the mere republicans, who desire to carry on government with a president instead of a king, retaining all the social institutions regarding classes and interests that existed under the monarchy. With them, Republic means merely a change of masters and names; the business remaining the same in all its leading features; the working classes to be equally "taken in and done for." All this order of Republicans, with a considerable proportion of the Bourgeoisie, will support Cavaignac, who may, therefore, seeing that government influence is being unscrupulously used in his behalf, poll a considerable number of votes.

The other Democratic and Socialist electors, belonging

mainly to the Proletarian class, have not, at the time we write, chosen their candidate—he will be either Ledru Rollin or Raspail. The nomination was to be agreed on at a great central meeting of delegates to be held in Paris the latter end of the bygone month. At the time we write the result has not come to hand, though it is thought it will be Ledru Rollin. In case of a united effort of these sections of the advanced democracy, on one man, a large vote will be taken. Not sufficient in the present mental state of France, perhaps, to carry the election, but still enough to give the Royalists a hint of the numbers of able-bodied men they would have to encounter, should any attempt be made to set up Napoleon the Second, or any other gilded idol. The ultra Republicans declare they will again take to the streets should the least effort be made to set aside the Republic, imperfect as they deem its organisation to be. We do not expect that Universal Suffrage in France will, for several trials, result in the success of the Proletarian cause, but every effort will educate and indoctrinate the people. Ultimately, we feel certain, the “Republic, Democratic and Social” must be successful, for it is the only form of government that appeals to the interest of the great body of the industrious classes, and its disciples, the only party that have defined views and faith in the future. With hope, energy, great ability and indomitable courage in its ranks, its triumph, though delayed by the lies and cabals of opposing factions, must eventually be certain.

In the middle of the month the party of the Montagne issued their programme of principles. The following is a condensation of its leading features.

“We desire what the people want:—

“Unity of power ;

“Distinction of functions ;

“Liberty of thought ;

“Liberty of meeting and association ;

“Gratuitous education ;

“The revision of the laws of military service ;

“The immediate abolition of taxes which touch the objects of first necessity, like salt, drinks, &c. ;

“The establishment of proportional and progressive taxation on net revenue ;

“The purchase, by the State, of the railways, canals, mines, &c. ; administrative reform, judicial and penal ; gratuitous

justice—that is to say, the simplifying of the forms, and the reduction of the expenses ;

“The right to labour ;

“Credit ;

“Association ;

“In short, we want, pacifically and progressively, all the consequences of the three great principles of the French Republic, LIBERTY, EQUALITY, FRATERNITY ; that is to say, the government of all by all, and for all ;

“THE REPUBLIC, ONE AND INDIVISIBLE, DEMOCRATIC AND SOCIAL.”

This document has been signed by fifty-six representatives of the people, and published all over France.

The National Assembly has performed no notable feat within the month, unless it be the vote in favour of General Cavaignac on the 25th, after the debate on his conduct during the June insurrection. The discussion was full of recrimination and personalities, and will do considerable damage to the candidature of Cavaignac, as the party that usually act with Lamartine, and their friends and supporters throughout the country, will go against him. Altogether, affairs and parties are in a state of chaos, promising to December a month of more interest and excitement than any Paris has witnessed since that of February. This was to be expected, as the whole proceedings of the Assembly and those in power since June, have been to undo all that the Provisional Government decreed on behalf of the working classes after their installation into office, accompanied with the wholesale proscription of the real friends of labour ; ending with the climax of striking the Right to Labour out of the Constitution. It is this series of political crimes against the producers of wealth, which has led to the present agitation and apprehension ; to the impudence of the Royalists and Reactionists on the one hand, and the monster banquets and manifestations of the Red Republicans and Socialists on the other. Society is divided into hostile camps, and without concessions another battle will be fought ere long. Should the Proletarians be successful, the struggle will show a different result to that of February, in which the confidence and forbearance of the people have been so shamefully rewarded.

We must condense the other foreign events of the month into short space. Italy remains almost in *statu quo*. Radetzsky is still at Milan, where he is levying black-mail in the

true brigand style on the rich Lombardese nobility. The King of Sardinia is strengthening his army, though there is no proof of an early campaign. Much will depend on the result of the proposed mediation of France and England—a matter however in which we have little confidence. A successful insurrection has just taken place in Rome, ending in the appointment of a Democratic Ministry, which may have considerable influence on the rest of Italy. Nothing but a simultaneous movement of the whole Italian people will suffice to drive the Austrians out of Lombardy. Some partial risings, instigated by Mazzini, took place in the neighbourhood of Como within the month, but they led to no large result. A rising must be general and enthusiastic to be successful.

While such is the aspect of the Continent, the Northern autocrat is keenly watching the march of events, ready to pour his barbarian hordes upon the Danube and the Rhine, should any great revolutionary movement threaten to be successful. Much depends on France in such an event, as she alone, of all European nations, possesses an army sufficiently drilled and powerful to combat with the Czar. In the present distracted state of her councils it requires some such great event, or a Northern invasion, to save her from internal convulsion and anarchy.

From America, we learn that General Taylor has been elected President. In the present state of European politics, it is a matter of secondary importance who is elected President. Events nearer home will command our first attention for some time to come.

We have had colonial news to the effect, that the Sikhs in India have risen against us, and repulsed our troops at Moul-tan. This has been met by a resolution on the part of the Indian Government to annex all the Punjaub—confiscation and plunder is still the motto of the Colonial Office. It is to be hoped the Sikhs will save General Whish and his brigands the trouble of annexation, by driving them for ever out of the country. Our colonial managers have had risings and troubles also in Ceylon and the Cape of Good Hope, resulting, however, for the time being, in the suppression of insurrection. In the one case, the revolt was occasioned by the natives of Kandia; in the other, by the Dutch Boers, who objected to themselves and land being transferred, without leave, to the rule of Queen Victoria, and subjected to be eaten up by officials appointed to rule

them without their consent. The only answer, as in all similar cases of colonial tyranny, has been the bayonet, which so far has proved successful.

The day, however, is not far distant when the rule of the sword, so unblushingly exercised in our colonies, will fall by its own power. With the annexation of the Canadas to their Republican neighbour—an event not far distant—will commence our colonial disasters, which will progress till we are ousted every where. Our Government will then discover, when too late, the mistaken policy of ruling colonies by physical force alone.

NATIONAL LITERATURE.

III.—GERMANY.

SCHILLER'S ROBBERS.

(Continued from page 228.)

Moor listens in silent horror, then, firing over the sleeping robbers, starts them from slumber, and in burning words reveals the dreadful tale. "It is my father!" he cries, and with respectful homage those men of blood bend before suffering age. Even they shudder at the blackness of the crime, and feel a joy in finding one, more lost, more sinful, than themselves.

"Father of my chief," Schweiger exclaims, kneeling at the feet of the aged Count, "take my homage—my dagger obeys thy voice."

"*Carl Moor.*—Revenge! revenge! revenge be thine, profaned, outraged, suffering age! Thus I rend for ever the tie of brotherhood. (*To the Robbers.*) Yea; by all the dreadful groans of those who ever perished by your daggers—whom my flames devoured, and my falling towers crushed—no thought of murder or of booty, shall find place in your hearts, till your garments are all painted scarlet with the blood of the accursed. Ha! ye might never dream, that ye were the arm of a higher power. The mazy thread of our destiny is

disentangled. To-day, to-day, an invisible God has ennobled our pursuits. Adore Him, who has given ye this lofty fate, who has led ye hither, who has found ye worthy to be the dreadful ministers of his mysterious judgment! With uncovered heads kneel in the dust, and rise up hallowed! (*They kneel.*)

"*Schweiger.*—Say, Captain, what shall we do?

"*Moor.*—Arise, Schweizer, and touch these hallowed locks. (*Leading Schweizer to his father.*) Do you remember how whilome you clave the head of that Bohemian rider, who swung his sword above me, as, breathless and exhausted, I sunk upon my knee? I promised you a kingly recompense. Till now, I have not been able to pay this debt.

"*Schweizer.*—You promised, it is true, but let me ever call you my debtor.

"*Moor.*—No. Now I will repay you. Schweizer, never mortal was honoured thus, as you. AVENGE MY FATHER!

"*Schweizer (rising).*—Great Captain. To-day you have made me proud for the first time. Command! when, where, how, shall I slay him?

"*Moor.*—The moments are sanctified. Thou must hasten. Select the worthiest from out the band, and lead them straight to the noble's castle. Tear him out of bed, though he sleep, or lie in the embrace of lust—drag him away from the banquet, though he reel with wine—bear him from the crucifix, though he be kneeling in prayer. But I tell thee, I enjoin thee strictly, bring him not dead. I will tear the man to pieces, and give him for food to hungry vultures, who but wounds his skin, or injures a hair on his head. I must have him whole; and if you bring him to me sound and alive, you shall have a million for a reward. I will steal it from a king at danger of my life, and you shall depart free as the winds of heaven. Have you understood? Then, haste away!

"*Schweizer.*—Enough, Captain. Here you have my hand. You shall see *two* return, or *none*. Schweizer's avenging angels! Come!"

He departs with a band, while Moor remains, wrapped in his fever-dream of atonement and revenge, waiting to execute, as he deems, the will of heaven. Thus ends the fourth act—gloomy and terrible, leading to the commission of the last remaining crime, or to the atonement and repentance. The action of the piece is brought to

a climax, which can but solve itself into utter ruin, or redemption.

Often, as long as a man immersed in crime, has still an object to gain, a foul deed to commit, the voice of conscience is either wholly stifled, or only, and that feebly, heard at intervals; but, when he has arrived at the desired consummation, when he has, as he thinks, nothing else to do, but to rest upon his evil labours and enjoy their fruits, the tension of mind, fixed upon a distant object, ceases; he has leisure to think, and whatever may be his worldly success, the internal retribution commences with a tenfold force.

Such was the case with Franz. The murder of Carl once consummated, as he supposed, no obstacle remained upon his path. It was smooth as a surface of ice. He had toiled up the hill of crime, and arrived at the summit of success; but that icy summit, no larger than a needle's point, lets him not rest upon its slippery stand a moment; he rushes down the opposite descent in an irrecoverable fall, and at the bottom yawns the gulf of hell.

As though in accordance with the spirit of the piece, the last act, the dark and fearful retribution, takes place in the night. It is midnight in the castle of Moor, and Daniel, to avoid the vengeance of his master, should he find the murder of Carl unfulfilled, is flying from the house that sheltered him so long; the old, time-worn servant is taking a last farewell of its familiar roof, when Franz rushes across his path. Daniel extinguishes the light in alarm to avoid detection, but Franz himself has become the man of fear. What has unmanned him thus? A dream, a shadow. But 'tis the foreshadow of eternity!

"Betrayed, betrayed," he cries, "Ghosts upheaving from their graves! Death's empire, shaken from its eternal sleep, roars around me! murderer, murderer! Ha! who moves there?"

"*Daniel*.—Help, holy mother! Is it you, dread master, calling thus fearfully down the galleries till all the sleepers of the house awake?"

"*Franz*.—Sleepers; who bids ye sleep? Away! bring lights, none shall sleep in this hour. Do ye hear? All shall arise and arm. Load all your weapons. Did you see them sweep adown the gallery?"

"*Servant*.—Whom? my lord.

"*Franz*.—Whom? idiot. Ghosts and devils—Heard

you no near tumult? No cry of victory? No sound of galloping steeds? Where is Car—the Count, I mean? Go, fetch a priest."

Daniel re-enters with a light, and Franz, whose soul is too full of terror for its feelings to be pent within his breast, relates the dreadful dream, that had shaken him from the bonds of sleep.

We can easily imagine how the unexpected presence of Carl in his castle, first brought returning fear to the heart of the murderer; how, that day, strange forebodings may have haunted his waking mind, and how, at night, conscience first appeared in dreams, a visitor more dreadful the later she arrives. Thus changed is the man of sin, that he cannot bear to be left alone, and will not permit Daniel to quit his presence, even to obey an order; but true, still, to his system of sophistry, Franz attempts to persuade himself that his terrors and his dreams are but the effects of illness; he shuns confronting the priest, and attempts to laugh at the fancies, overwhelmed by which, he sinks senseless at the feet of his serf. We cannot but mark how the manner of the latter alters to his master, whom fear equalises with the dependant—how respect is changed to familiarity, deference to insulting pity; but thus it is in life—when the mighty falters he is sure to fall. When Franz returns to consciousness, roused by the exertions of Daniel, who fears he might be accused of his death (true to the selfishness of the human heart), he bids him not heed the words he may have spoken, the revelations he may have made, and relates his dream, in the hope that his awe-stricken companion will laugh at the idle fancy, and thus enable him to break from its thrall. He dreamed of the Judgment-day and hour, and heaven flaming together like a burning scroll—the actions of man were weighed in the balance of the Judge.

"Long," he says, "the blood of the Redeemer kept the scale of sin, though piled to mountain-height, soaring high in air, till at last came an aged man, bent with grief, his arm gnawed in raging hunger, and severed a lock of his silvery hair, cast it into the scale of sin, and lo! it sunk, sunk instantly into the abyss, and the scale of mercy rose high into the air.—Now, why do you not laugh? Laugh at me—mock me—I implore you."

The awe-stricken servant pales with horror. "Dreams come from God," he says, "I will pray for you."

"*Franz.*—It is a lie, I say. Go, instantly, fetch the

priest! Run, fly! See where he tarries, bid him haste; but I tell thee 'tis a lie!"

Franz, alone in the terrible midnight, again attempts to reason away his fears, but this time his sophistry failes him—the very words he uses to refute them, prove their confirmation—conscience now stands before him like a ghastly skeleton, the veil that clothed it is withdrawn, and he can fly no more. In vain he attempts to combat the arguments of the priest, before the latter can come to the proofs, that there is a God, while he is merely expatiating on the fate of the sinner, if such there be. Franz sinks annihilated by the awful truth. In his last despair, he asks which are the most dreadful crimes, those the least easily pardoned, in the hope, that he may still hear of greater than his own, and thus win some consolation from the thought, that he is not the last in the ranks of the condemned.

"*Priest.*—I know of only two such. But men do not commit them—men dream not of them.

"*Franz.*—These two?

"*Priest.*—(*with emphasis.*)—*Parricide* is the one—*fratricide* the other. What makes you suddenly so pale? But rest in peace, you have no more a father nor a brother!

"*Franz.*—Ha, you know no crime beyond? Think again. Death, heaven, eternity, damnation, hang on a word from thy mouth! None beyond?

"*Priest.*—None.

"*Franz* (*sinking on a couch.*)—Annihilation, annihilation!"

The "philosophy of despair" is brought to nought; the armour of pride has fallen from the heart of the guilty, and one by one the messengers of vengeance arrive.

A servant enters in haste, announcing that Amalia has fled, that the Count has suddenly disappeared. Daniel rushes in with the tidings, that a troop of fiery horsemen are spurring down the road, to the cry of "Murder! murder!" raising the village as they pass.

"*Franz.* Go, ring all the bells. Let every one to church. Bid them all kneel and pray for me. Let all prisoners at liberty. I will give back two and three-fold all I have wrung from the poor. I will. Oh, go! Call the confessor, that he may purify me of my sins with his blessing. What! not yet gone?"

Fool, to think that repentance, extorted by fear, can avail in the hour of retribution. Vengeance is clamouring

loudly for her prey ; a dreadful sound booms from without through the towers and galleries of the castle. It is his approaching doom.

Daniel alone remains with his lord—else he were deserted by all—sure fate of the falling tyrant, who implores his serf to pray for him to the throne of mercy.

“ *Daniel.*—Ah, you always spurned the blessed aid of prayer, have hurled many a prayer book and bible at my head, if you found me reading them !

“ *Franz.*—No more of that. Death ! Dost hear ? Death ! It grows too late. (*The shouts of Schweizer and his band are heard without.*) Pray for me. Oh, why do’st thou not pray ?

“ *Daniel.*—I always told you, when you thus scorned prayer—mark ! when a man is in distress—when he is sinking—then he would give all the treasures of the world for one good Christian prayer. Do you mark ? you abused me for it once. There, you have it now.

“ *Franz (embracing him anxiously).*—Forgive me, dear, good, excellent Daniel, forgive me. I will clothe you from head to foot. But pray for me. I will crown you with joy, I will,—but pray. I implore you, on my knees I implore you. In the devil’s name, pray for me. (*Tumult in the street without. Screams, clamour.*)

“ *Voice of Schweizer (without.)*—Storm, slay, break in. I see light, he must be there !

Franz (kneeling.)—Hear me pray, God in heaven ! It is the first time, but I will never do it again. Hear me, God in heaven !

“ *Daniel*—Good heaven, what an unhallowed prayer !

“ *The voice of Schweizer (as the cries and shrieks of the scared inhabitants are heard in the streets without.)*—Beat them back comrade. It is the devil come to fetch your master. Where is Schwarz and his band ? Grimm, surround the castle. Storm the outer wall.

“ *The voice of Grimm.*—Bring firebrands. We will enter, or he shall come forth. I will throw fire into his halls.

“ *Franz (praying.)*—I have been no common murderer, my Lord God ! Have never dealt in trifles, my Lord God !

“ *Daniel.*—The Lord be merciful unto us ! His very prayers are blasphemies !”

Poor Daniel ! knowest thou not, that the unrepentant sinner (for fear is not repentance), cannot pray ? The

prayers of the bad are ever blasphemies. (*Stones and fire-brands are hurled against the windows. The glass is dashed to pieces, the castle burns.*)

"*Franz.*—I cannot pray. Here, here (*striking his breast and head*), all is so void, so parched. (*He rises.*) No! and I will not pray. Heaven shall not gain this victory! Hell shall not win this triumph!

"*Daniel.*—Holy virgin, help, save us! The castle stands in flames.

"*Franz.*—Here, take this sword, quick; run it through me from behind, that these villains may not come and make a jest of me. (*The fire gains on them rapidly.*)

"*Daniel.*—God forbid! God forbid! I would not send any one before his time to heaven, much less to—— (*He flies.*)

"*Franz* (*Looking wildly after him. A pause.*)—To hell! you would say. In truth, methinks I scent its flames. (*Frenzied.*) Are those your shrill notes? Do I hear ye hiss, ye adders of the abyss? They rush up; they beleaguer the door. Why do I recoil before this deadly point? The door crashes—falls. No escape! Ha, then do thou have mercy on me! (*He strangles himself.*)"

Schweizer bursts in with his band and finds the body of Franz. "Ha!" he exclaims, "Carl's heart will not be gladdened. He is stone-dead. Go back and tell the captain, he is stone-dead. Me he sees not again."

True to his word, not to return without Franz alive, Schweizer shoots himself over the body of his victim; a strained act of self-immolation, which weakens the moral conveyed by that of Franz; and can only be tolerated from the supposed intention of the author to show how the retributive justice of heaven embraces all who are interwoven in the catastrophe, and falls on all who would anticipate the decrees of providence. The death of Franz is true to the character of his life; for he who had (as he supposed) immolated a father and a brother, could but end by raising the same hand against himself—the last poor shift of cowardice and despair.

Awaiting the result of Schweizer's mission, Carl Moor still tarries in the forest, surrounded by his band. Midnight lowers around, and before him, on a stone, sits his liberated father. The distant sounds of the assault may have been borne to his ear, and he stands in horrible suspense.

"*Carl Moor.*—He comes not. (*Striking his dagger violently against a stone.*)

"*Count Moor.*—Forgiveness be his punishment. My revenge, redoubled love.

"*Carl Moor.*—No. By my wrathful soul that shall not be. I will not have it thus. He shall drag the horrid crime with him into eternity. What else would I slay him for?

"*Count Moor (weeping.)*—Oh, my child.

"*Carl Moor.*—What, you weep for him! And beneath this tower?

Yes, even beneath that tower the father weeps for his son, such is the holy, the undying beauty of paternal love. That love is the angel who wins Carl back from his terrible intent—if that outraged father can forgive, shall he still harbour vengeance? It is not the fear of punishment, that can deter the bold heart from crime, but the beauty of a bright example that wins to imitation.

"*Count Moor (wringing his hands.)*—Mercy, oh mercy! Now, now my child is being judged.

"*Carl Moor (in terror.)*—Which?

"*Count Moor.*—I have sacrificed a son, therefore a son sacrifices me! That is the hand of Providence. Oh, my Carl—my Carl! If thou do'st hover round me in the garb of peace—forgive me! oh, forgive me!

"*Carl Moor (quickly.)*—He forgives thee. (*starting.*) If he deserves to be called thy son, he must forgive thee.

"*Count Moor.*—Ha, he was my happiness! But I will go to him with my tears, with my sleepless nights, with my torturing dreams, I will embrace his knees, and cry aloud: 'I have sinned in heaven and before thee. I deserve not that thou should'st call me 'father.''

"*Carl Moor (with deep emotion.)*—Thou didst love thine other son?

"*Count Moor.*—Heaven witness it. Why did I let myself be deceived by the arts of an evil child. I trusted the serpent—both my children are lost.

"*Carl Moor (retiring to a distance.)*—Lost for ever!

"*Count Moor.*—Oh, I feel deeply what Amalia said! The spirit of vengeance spoke from her lips, 'Vainly in thy death hour shalt thou stretch forth thy hand for thy Carl!'

"(*Carl Moor gives his hand with averted countenance.*)

"*Count Moor.*—Oh, were this the hand of my Carl! But he lies afar in the narrow house of death, sleeps already the iron sleep. No more a son. No son to close my eyes.

"*Carl Moor (unable to control his emotion.)*—It must be now, oh, now! (*To the robbers.*) Leave me. And yet,

can I give him his son again? I cannot give him his son again. No.

“*Count Moor.*—How, friend. What said you then?

“*Carl Moor.*—Thy son—yes, old man—(*faltering*) thy son—is—lost for ever.

“*Count Moor.*—Ever?

“*Carl Moor* (*looking towards Heaven in the deepest agony.*)—Oh, but this time—let my soul not falter—but this time uphold me!

“*Count Moor.*—Ever, sayest thou? Stranger, stranger, why didst thou free me from the tower?

“*Carl Moor.*—What, if I now stole his blessing? Stole it like a thief, and slunk away with the God-like booty? They say a father's blessing is never lost.

“*Count Moor.*—My Franz lost too?

“*Carl Moor* (*falling at his feet.*)—I broke the bolts of thy dungeon. Give me thy blessing.

“*Count Moor* (*in grief.*)—That you might destroy the son, saviour of the father. Behold, the Godhead is never weary of mercy, and we miserable worms sleep in our wrath. (*Laying his hand on the robber's head.*) Be happy, as thou art merciful.

“*Carl Moor* (*arising subdued.*)—Oh, where is my manhood! My limbs falter, the dagger falls from my hands.

“*Count Moor.*—How beautiful, when brothers live in harmony together. Learn to merit such bliss, and the angels of heaven will bask in the light of thy glory. Let thy wisdom be that of greyheaded age; but thy heart—let thy heart be that of innocent childhood.

“*Carl Moor.*—Oh, give me a foretaste of this bliss! Embrace me, thou godlike and venerable man.

“*Count Moor* (*embracing him.*)—Think it is a father's embrace, and I will think that I embrace my son. Canst thou weep too?

“*Carl Moor.*—I thought they were a father's arms. Woe is me, if they bring him now.

“(*Schweizer's band enters in funeral procession, with heads bowed and faces veiled.*)

“*Carl Moor.*—Oh, heaven! (*He starts back and tries to conceal himself. They march past him. He turns away. They halt.*)

“*Grimm* (*in a subdued voice.*)—My Captain.

“(*Carl Moor answers not, and draws back.*)

“*Schwarz.*—Dear Captain.

“(*Carl Moor still retires before them.*)

"Grimm.—We are innocent, my Captain.

"Carl Moor (*with averted face.*)—Who are ye?

"Grimm.—You will not look at us? Your faithful ones.

"Carl Moor.—Woe unto ye, if you have been true to me.

"Grimm.—The last farewell from your servant, Schweizer. He returns not again, your servant Schweizer.

"Carl Moor (*starting up.*)—Then ye found him not?

"Schwarz.—We found him dead.

"Carl Moor (*in exultant joy.*)—I thank thee, Ruler of all. Embrace me, my children. Mercy be henceforth the word. Now that too has been accomplished. No misery more to come."

The robber chief errs—he has repented—he is returning on the path to heaven, but he must atone before he can pass its gate. At this moment, when he deem his troubles past, the great sacrifice is about to be demanded at his hands. He has sacrificed his hate, he must now sacrifice his love.

Fresh bands of robbers enter, bearing with them Amalia, whom they had seized as she was escaping from the castle. She enters with dishevelled hair, exclaiming: "The dead, they cry, the dead have risen at his voice. My uncle lives, he is in this forest. Where is he? Carl! Uncle! Ha!"

(*She flies to the arms of the aged Count.*)

"Count Moor (*folding her to his breast.*)—Amalia, my child, Amalia.

"Carl Moor (*starting back.*)—Who brings this scene before me?

"Amalia (*escaping from the Count, rushes to the Robber, and casts her arms around him in extatic joy.*)—I have him! Oh, ye stars! I have him!

"Carl Moor (*tearing himself away, to the robbers.*)—Break up, all of ye. The arch-fiend has betrayed me.

"Amalia.—My betrothed, my betrothed, you rave. Ha! is it with extacy? Why am I so cold, so devoid of feeling, amid all this whirl of joy?

"Count Moor (*rousing himself with an effort.*)—Thy betrothed. Daughter, daughter, thy betrothed.

"Amalia.—His, for ever! Ever, ever mine! Oh, ye powers of heaven, relieve me from this excess of happiness, that I may not die under the burthen!

"Carl Moor.—Tear her from me. May the whole world be annihilated! (*He endeavours to escape.*)

"Amalia.—Whither? what? Eternal love, endless bliss, and you fly?

"Carl Moor.—Away, away, most unhappy bride. Be-

hold ! Question—Most unhappy father. Let me away for ever.

“ *Amalia*.—Help ! help me, for the love of heaven ! Darkness floats before my sight. He flies.

“ *Carl Moor*.—Too late, it is in vain. Thy curse, father ! Question me no more—I am—I have thy curse, thy supposed curse. Who lured me hither ? (*Turning with drawn sword upon the robbers.*) Which of ye lured me hither ? Ye creatures of the abyss. Perish, *Amalia* ! die father, die through me for the third time ! These, who have set thee free, are robbers, murderers. Thy *Carl* their Captain. (*Count Moor dies.*)

“ (*Amalia stands silent and motionless, like a statue—a deep silence pervades all.*)

“ *Carl Moor* (*dashing himself against an oak in despair.*) The souls of those whom I strangled in their dreams of love—of those, whom I destroyed in their hallowed sleep. Ha ! ha ! ha !...Hear ye the tower crash over the shrieking crowd ? See ye the flames leap around the cradles of infancy ? That is a bridal torch ! that is a bridal strain ! Oh, he forgets not ! he knows how to join the links of fate. Thence mine no joys of love. Thence love become my torture. That is retribution !

“ *Amalia*.—Then it is true. Lord in heaven, it is true ! What have I done ? I have loved this man.

“ *Carl Moor*.—This is more than a mortal can bear. Have I not heard death come hissing towards me from more than a thousand levelled tubes, and never yielded a pace ? Shall I now learn to tremble like a woman ? No, a woman shall not shake my manhood. Blood, blood ! 'Tis but an unmanly weakness. I must drink blood, and it will pass away. (*He is about to fly.*)

“ *Amalia* (*falling in his arms*).—Murder ! Demon—I cannot leave thee, angel !

“ *Carl Moor* (*dashing her from him*).—Away, false serpent ! Would'st thou mock a madman ? But I dare the tyrant, fate.—What, you weep ? Oh ! ye wanton and malicious stars. She feigns to weep as though she wept. As though any one would weep for me. (*Amalia clings to him.*) Ha, what is this ? She spurns me not ? Casts me not away ? *Amalia*, hast thou forgotten ? Do'st know whom thou art embracing ?

“ *Amalia*.—Mine only one—never to be parted.

“ *Carl Moor* (*in extatic joy*).—She forgives me, she loves me. I am pure as the ether of heaven, for she loves

me. Tears of gratitude, my tribute, merciful Power on High. (*Bursting into tears as he kneels.*) The peace of my soul has returned; the fury is exhausted—hell exists no more. Behold, oh behold, the children of light weep in the embrace of weeping fiends. (*Rising. To the robbers.*) Weep ye, as well, oh weep, ye are so happy. Oh! Amalia, Amalia, Amalia. (*He presses her to his heart in a speechless embrace.*)

“*A Robber (advancing in anger).*—Hold, traitor! this instant withdraw that arm, or I will speak a word that shall make thine ears ring and thy teeth chatter with horror. (*He thrusts his sword between them.*)

“*An aged Robber.*—Remember the forest of Bohemia. Do you hear? Do you hesitate? Remember the forests of Bohemia. Traitor, where is thy vow? Are wounds so soon forgotten?—Didst thou not, when we set fortune, honour, and life on the die for thee—when we stood like a rampart in thy defence, and, like a shield, intercepted the blows that were aimed at thy life—didst thou not lift thy hand to heaven in an indissoluble vow, swearing never to desert us, even as we had never abandoned thee?

“*A third Robber*—Shame on thy perjury. The spirit of Roller, the sacrificed, whom thou didst force as witness from the realms of death, will blush at thy cowardice, and arise armed from his grave to punish thee.

“*The Robbers (promiscuously).*—See here, see! Dost know these scars. Thou art ours. We have bought thee with our heart's-blood!—Now on with us. Sacrifice for sacrifice! Amalia for the band!

“*Carl Moor (releasing Amalia's hand).*—It is over! I hoped to return and go unto my father in heaven, but He in heaven said: It shall not be! (*Coldly*) Fool that I was! How could I hope it? Can the man, immersed in sin, retrace his path? No! that path can never be retraced! I might have known that long.—Thus it is just! I would not come, when He sought me—now He will not appear, that I seek Him! His creation overflows with numbers. One being He will not miss! that one am I! Come, comrades!

“*Amalia (withholding him).*—Stay, stay! One blow! One death-blow! Again deserted! Draw thy sword, and have mercy on me!

“*Carl Moor.*—Mercy has fled to tigers. I slay thee not!

“*Amalia (embracing his knees).*—Oh, for heaven's

sake! For pity's sake! I ask for love no more. I know full well that our hostile stars diverge! Death alone is my prayer! Deserted, deserted! Take the meaning in its boundless horror. Deserted! I cannot survive it! Behold, no woman can survive it! Death alone is my prayer! See, my hand trembles! I fear me before the glittering blade! But for thee it is so easy! Oh, so easy! Thou art a master in the art of murder! Draw thy sword, and I am happy!

"*Carl Moor.*—Wouldst thou alone be happy? Away, I kill not a woman!

"*Amalia.*—Ha, murderer! Thou canst only kill the happy; the life-weary thou passest by! (*She drags herself to the robbers.*) Then have mercy, Oh ye!—Ye pupils of the murderer! I see such blood-thirsty pity in your eyes, as holds out comfort to the wretched! Your master is an idle, coward boaster! (*The robbers turn away.*)

"*Carl Moor.*—Woman, what hast thou spoken?

"*Amalia.*—No friend! not even among these a friend! (*She rises.*) Then, Dido, show me the path of death! (*She is about to go. A robber levels his piece.*)

"*Carl Moor.*—Hold! At thy peril! Moor's beloved shall die through Moor alone! (*He stabs her.*)

"*Robbers.*—Captain, Captain! What hast thou done? Thou'rt mad!

"*Carl Moor* (*Gazing fixedly on the body.*)—She is stricken! But this quivering, and it is past.—Now! Behold!—Have ye still anything to demand? Ye sacrificed for me a life—a life that was already no more your own to give—a life full of horrors and infamy. My offering is the murder of an angel! Now then, look well at the offering—are ye satisfied?

"*Grimm.*—Thou hast paid thy debt with interest. Done for thine honour what no man would have done. Now, come away!

"*Carl Moor.*—Say ye not so? Is it not true, the life of a saint for the life of outlaws—'tis an unequal bargain?—Oh! I say unto ye, if every one of ye ascended the scaffold, and with red-hot iron had his flesh torn piecemeal from his bones, till the agony lasted seven summer days, it would not outweigh these tears! (*With bitter laughter.*) The scars!—the Bohemian forests!—Yes! Yes!—I am obliged to pay that debt.

"*Schwarz.*—Be calm, Captain! Come with us! The sight unmans thee! Lead us onward!

“ *Carl Moor*.—Halt ! A word before we pass on. Mark me ! ye malevolent slaves of my inhuman will !—from this instant I cease to be your captain. With shame and horror I lay down the bloody sceptre, ’neath which ye thought ye had a right to sin, and stain the light of heaven with works of darkness ! Depart to the right and to the left. We never shall make common cause again !

“ *Robbers*.—Ha ! coward ! Where are thy lofty plans ? Were they mere bubbles, bursting at a woman’s breath ?

“ *Carl Moor*.—Oh ! fool that I was to think I could benefit the world through deeds of horror, and through lawlessness uphold the law ! I called it *revenge and justice* ! Oh, my presumption ! oh, providence ! I thought to sharpen the edge of thy sword, and amend thy partiality ! But oh ! vain foolery ! Here I stand on the verge of a terrific life, and experience with horror and trembling—that two beings like myself, would destroy the entire organisation of the moral world !—Oh ! God ! Show mercy to the froward child, who thought to anticipate thy will. Thine alone is retribution !—Thou needest not the hand of man. Alas ! I have the power no longer to recall the past—the ruin must remain—what I have overthrown shall rise not again ! But one path still remains, through which I can yet atone to the outraged laws, and heal the wounds I aimed at social life ! A sacrifice is demanded—a sacrifice—to display its most vulnerable majesty in the eyes of the world. That sacrifice am I ! I myself must perish in atonement.

“ *Robbers*.—Wrest his sword from him. He will destroy himself !

“ *Carl Moor*.—Oh fools ! condemned to eternal blindness !—Do ye think one deadly sin can strike the balance with another ? Do ye think the harmony of the world would gain by such unhallowed discords ? (*He casts his arms at their feet.*) I will atone with my life ! But I go to surrender that life into the hands of justice.

“ *Robbers*.—Bind him ! he raves.

“ *Carl Moor*.—Not that I doubt justice would overtake one soon enough, if thus it were willed by the powers above. But she might surprise me in sleep, or seize me in flight, or embrace me with sword and chain, and then I should lose the only merit I can attain, that of dying for her, a voluntary sacrifice. Why should I still, like a thief, lead on a stealthy life, to the loss of which I have so long been sentenced, in the senate of our heavenly guardians ?

"Robbers.—Let him depart. It is the desire of being thought a great man. He sells his life for vain applause.

"Carl Moor.—They might admire me for the act. (*After a pause of thought.*) I remember to have spoken on my way hither with a miserable man, who works for his daily bread, and has eleven children. One thousand louis d'or are offered to him who delivers the great robber alive into the hands of justice. I can be of use to that man. (*He goes.*)"

The dangerous tendency—thence, the fault in this tragedy—consists in the liability to which every one must be subjected, of mistaking the intention of the author, who has presented us with metaphysical truths in too worldly a garb. Thus, no one will say that Carl, in slaying Amalia—however the plot may necessitate such a result—is performing an act of meritorious atonement, it is only heaping murder upon murder; but if we regard it as emblematical of the sacrifice of all worldly happiness by the repentant sinner, we may draw a useful moral from the apparent crime. Nevertheless, it must be conceded, that the author himself has either chosen a plot ill adapted to carry out his idea, or used that plot in a mistaken manner. Had it been possible for him to have confined himself to the metaphysical—to have made his hero banish the spirit of his earthly happiness, and cast from him a certainty of joy—we should have perceived at once the moral and the retribution; but murder is a sorry intercessor between the guilty and the heavenly judge.

That the intended moral is good, no one will doubt; and though we fear not, like the author, that any one will refuse to "admire the Poet," we do fear, unlike him, that some may misinterpret "the honest intent."

If we read his meaning right, we may turn from Carl, the victor and martyr of misfortune, with a deep and useful lesson; but if we suffer our imagination to get the better of our judgment, we run a risk of imitating, in some degree, the students of Mannheim, who mistook the dark shadow for the noble column by which it was cast.